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Muthiah Muralitharan in record-breaking feat in Harare, Zimbabwe (above), Sonia Gandhi and new Indian PM Manmohan Singh (top right) and internationally renowned diplomat Jayantha Dhanapala appointed Secretary General of the Peace Secretariat

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- Voltaire

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Email: admin@tamiltimes.org
editor@tamiltimes.org
p.rajanayagam@btconnect.com
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Talks Towards a Consensus

Looking at the outcome of the last general election held recently which produced a minority Government and the parties represented in the governing coalition, one would forgive those who doubted the prospect of an early resumption of peace talks between the Government and the LTTE. But President Chandrika Kumaratunga has moved fast confounding the doubters and it would seem that the peace process is now back on track with the Norwegians returning to resume their role as facilitators.

The recent visit to Colombo and Kilinochchi by the Norwegian Foreign Minister Jan Peterson, Deputy Foreign Minister Vidar Helgessen and Special Envoy Eric Solheim and the discussions they had with Sri Lanka's President, Prime Minister and Foreign Minister and the LTTE leadership have produced a measure of agreement between the parties about early resumption of peace talks.

According to reports published about these preliminary discussions, the Government has agreed to the preconditions set by the LTTE for the resumption of negotiations, namely the acceptance of the LTTE being the sole representative of the Tamils, treating the LTTE as equal partners, the proposals submitted to the previous Government by the LTTE for the establishment of a Self Governing Interim Authority (ISGA) for the Northeast being the basis of negotiations, and the talks being held outside Sri Lanka.

While agreeing to these conditions, the President had expressed that her Government would prefer, apart from discussing the ISGA proposals, parallel discussions being held for a permanent settlement of the ethnic conflict. However, it has been argued on behalf of the LTTE that hers being a minority government with a hung Parliament, she did not have the required two-thirds majority to effect radical and fundamental changes in the constitution to bring about a solution to the ethnic conflict, and therefore it would be extremely difficult for her to address the Tamil national question at this juncture, and hence discussions should commence on the ISGA proposals immediately.

Whether the discussions are confined to the ISGA proposals or broadened to enable parallel discussions aimed at seeking a permanent political solution, fundamental to taking the peace process forward is the acceptance of the need for constitutional changes to the basic power structures of the Sri Lankan State. Without commenting on the merit or otherwise of the proposals submitted by the LTTE, what can be said without any fear of contradiction is that they envisage the vesting of considerable autonomous legislative and executive powers upon the proposed ISGA. Even if agreement is reached after discussions between the parties on the composition and powers of the proposed ISGA, the Government would be confronted with the problem of delivering it constitutionally. To do so would require necessary amendments being enacted to the existing Constitution to confer legal validity upon the proposed ISGA and the powers it would exercise. But the Government does not have the required majority in parliament to undertake that task.

It is therefore demonstrably clear that central to the task of taking the peace process forward is the mobilisation of all forces within and outside parliament which are amenable to building a political consensus for early constitutional reform. In the absence of such a consensus emerging, talk of carrying out a 'constitutional revolution' will turn out to be only a pipe dream. The greatest responsibility for taking the necessary initiatives to build such a consensus lies on the President, her Government and the LTTE. Having been accepted as the 'sole representative' of Tamils and with its 22 Members of Parliament who are in a position to wield considerable power in the context of a hung parliament, the LTTE has the unique opportunity to play a significant role in the national affairs of the whole island. In deciding to play such a role, the LTTE might be able to contribute to the determination of the outcome in respect of the regional interests of the Northeast and its people which it desires and wants to protect. At the same time as the Government and the LTTE resume negotiations, they could jointly or separately engage in direct and frank discussions, firstly with other political parties, particularly with United National Party (UNP), Janatha Vimukthi Peramuna (JVP), Sri Lanka Muslim Congress (SLMC) and the Ceylon Workers Congress (CWC), and secondly with leading civil society groups which have been active in recent years in the promotion of peace and human and democratic rights. Such discussions might contribute to building a national consensus. International actors such as Norway, UK, USA, European Union, India, Japan, Canada and Australia who have shown an abiding interest in assisting the peace process in Sri Lanka ought to encourage and facilitate bilateral and multilateral discussions among concerned parties.

Discussion ISGA first, Says LTTE

Mr. Anton Balasingham, political advisor to the LTTE said that the LTTE has suggested that their proposal for an Interim Self Governing Authority should be taken up for negotiations first, responding to a suggestion by the Sri Lankan President conveyed through the Norwegian foreign minister to the LTTE leadership that there should be parallel talks towards a permanent settlement to the island's ethnic conflict. He said that President Kumaratunga has accepted the LTTE as the sole representatives of the Tamil people.

During a press briefing on May 11 in Kilinochchi in northern Sri Lanka, Mr. Balasingham stipulated the conditions under which the peace talks should be resumed. "We have already declared the LTTE should be accepted as sole and authentic representative of the Tamil people. We have got an overwhelming mandate from our people. Talks should be on an equal basis and the LTTE should be treated as equal partners in the peace process. And thirdly the LTTE has insisted that the set of proposals we submitted last time in regard to the Interim Self Governing Authority should be basis of negotiations. The talks should be held outside Sri Lanka. We discussed these matters today," he said following discussions the LTTE leadership had with the visiting Norwegian team.

Balasingham further said, "President Kumaratunga has agreed that she is prepared to accept the LTTE as the sole representatives of the Tamils and the talks can be held on the basis of equal partnership; and the ISGA proposals could be the basis of negotiations. But she has said that apart from discussing the ISGA parallel discussions should be resumed (held) for a permanent settlement of the ethnic conflict. We have said that it requires serious fundamental and changes in the constitution. But we want first of all to have this interim administrative structure established and the serious socio economic problems - resettlement, rehabilitation, reconstruction and resettlement - must be addressed though this interim structure. It is only thereafter negotiations for the permanent settlement can be resumed. We argued that Kumaratunga's government is a minority government with a hung Parliament. She doesn't have the required two-thirds majority to effect radical and fundamental changes in the constitution to bring about a solution to the ethnic conflict. So it is rather fruitless. It will be extremely difficult for her to address the national question at this juncture. So we have suggested let us discuss the ISGA proposals immediately. And if she agrees, we will immediately resume negotiations. This message is conveyed to the President through the Norwegian Foreign Minister".

Speaking to journalists on 13 May at the conclusion of a two-hour discussion with Mr. Vidar Helgesen, Norway's deputy foreign minister, Mr. Balasingham, said that the LTTE and the Government of Sri Lanka have agreed on most of the fundamental issues related to the resumption of peace talks. He said the LTTE and Colombo would reach a decision in "a day or two" on the time and place for restarting the peace talks. He said Norway would make an announcement about the consensus reached by the two parties in "one or two days".

"President Chandrika is showing very keen interest to somehow restart negotiations with the Tigers. We discussed the fundamental issues relating to the resumption of the talks. We were satisfied with the manner in which majority of these issues were resolved. The preliminary efforts and arrangements to restart the negotiations are very satisfactory. However, I must say that no definite decisions were reached on all issues. And I cannot reveal the details of these. There are some practical problems to be sorted out over when and where to hold the talks. The Norwegian government will make an official announcement regarding the basic agreements we have reached regarding the resumptions of the talks in a day or two", Mr. Balasingham said.

He said that the LTTE has stated that ministers with greater powers should take part in the talks. He ruled out the possibility of the negotiations starting this month. Responding to a question regarding the participation of Mr. Lakshman Kadirgamar, Sri Lanka's foreign minister, in the talks, he said: "The Sri Lankan government knows our position regarding him. I have nothing to comment on the matter".

Govt. accepts LTTE's 'sole rep' status

The "LTTE by implication is the sole representative of the Tamil people, at the negotiating table. This is the same position Prime Minister Premadasa, President Kumaratunge [in her earlier term] and former Prime Minister Wickremesinghe took. This is also the de facto situation that we have to accept. But we will include the whole community outside the negotiating table to ensure that everyone understands the issues and the progress of the negotiations," said Sri Lanka's Foreign Minister, Lakshman Kadirgamar, answering questions following a talk he gave at the Brookings Institute in Washington D.C on 12 May. Mr.Kadirgamar was on an official visit to the United States where he met with U.S Secretary of State, Colin Powell and other U.S Government officials.

Mr Kadirgamar also said that the LTTE's Interim Self-Governing Authority (ISGA) proposal was a blue print for a future separate State and it would be difficult for a sovereign government to accept the proposal.

On peace negotiations, Mr.Kadirgamar said, "the talks broke down in April 2003 when LTTE walked out after six sessions of talks in different parts of the world. An LTTE leader said the talks were a waste of time as people in NorthEast have not received any tangible benefit from the peace process.

If relief and development do not reach the people then it will be difficult for any ruling party to maintain support from their people. We will work to get international help in rebuilding NorthEast, a region devastated by two decades of war."

The Minister further said, "The LTTE has put forward a proposal for an Interim Administration as a vehicle for rehabilitation and reconstruction of NorthEast. However, the Interim Self-Governing Authority (ISGA) proposal, on the face of it, will be very difficult for a sovereign government to accept. It has no reference to a Parliament, claims a separate Auditor General, and demands 200 mile maritime zone along

two thirds of Sri Lanka's coast. It is a blue print for a future separate state." He added, "Discussions will take place and arduous negotiations will happen. Compromises have to be made."

On the question of timing of the peace talks, Mr. Kadirgamar said: "Starting date of the peace talks is not important. As long as engagement is maintained there will be progress. The time for shadow boxing is over. We can no longer skirt around hard issues."

On Norwegian facilitation, Mr.Kadirgamar said, "We have encouraged the Norwegians to take a lower profile than they took during the term of the previous government. When people become suspicious and if this creates resentment, these are legitimate reactions in a democracy we have to deal with. Also I think, the Internationalization of Sri Lanka's process has gone too far."

The Foreign Minister answered questions from the audience at the end of his talk. Excerpts follow:

Question: Do you think there will be a solution to the ethnic conflict in our life time?

FM: Yes. Separate State is a solution, but not a satisfactory one. Any arrangement less than that is very welcome. If you think it will happen in 2 years, 3 years, 5 years. I think it won't happen in that time frame, but I can't give you a firm answer.

Question: Minister, in your previous term you lobbied foreign governments heavily to proscribe the LTTE. The LTTE doesn't view your stand in the conflict favourably. In fact your involvement may become an impediment to the peace process. How do you see your participation developing?

FM: I did my duty at that time. I was only reflecting my peoples view. I know LTTE wants to see me dead. I am at the top of their hit list...If I am an impediment to peace I will step down. I may not sit face to face across the table. I think the LTTE still would like to keep in touch with me.

Question: You have said recently that you accept LTTE as the sole representative of the Tamils. How can you reconcile this in a democratic system where LTTE was never elected by its people?

FM: There has been much controversy in the press about the statement I made in India. My stand is that LTTE by implication is the sole representative of the Tamil people, at the negotiating table. This is the same position Prime Minister Premadasa, President Kumaratunge [in her earlier term] and former Prime Minister Wickremesinghe took. This is also the de facto situation that we have to accept. But we will include the whole community outside the negotiating table to ensure that everyone understands the issues and the progress of the negotiations.

Question: There has been a lot of criticism against India recently. Can you explain why?

FM: There is no question that any solution is possible in Sri Lanka without India's tacit support. Do not get agitated by what you read in the Press. The Press supports the Opposition or the Government only when its policy coincides with theirs. Ultimately it is the owners who control the press.

Question: What role will India play in the negotiations?

FM: India will not play an explicit role. Only Norway will act the facilitator or more. Other countries are not expected to participate but have expressed their positions. For example, U.S has said that it supports a solution that preserves unity and territorial integrity of Sri Lanka. Japan is looking for a role and would like to get involved more in the process, but no role is yet conferred on them.

Mr.Kadirgamar also talked at length on the virtues of democracy. He said that voting was ingrained in Sri Lankans as they had been exercising their voting rights from the 1930s. He was pleased with the relatively violence free elections and pointed out the challenges facing the new parliamentarian monks.

Tamil National Alliance (TNA), Mr.Kadirgamar said, was a party with a single issue, that of fighting for a solution based on the right to self-determination of Tamil people. As a party wielding considerable power with 22-members in a 225 member assembly, the Foreign Minister said, TNA would face hard choices when called upon to vote on a whole range of issues.

Internal crisis hits SLMC

The rank and file of the Sri Lanka Muslim Congress (SLMC) is in disarray following the decision of its politburo on 19 May to suspend three of its parliamentatarians and a member of the party for opposing the leadership of Mr.Rauff Hakeem.The differences in opinion among members of the party over the question of joining the United Peoples Freedom Alliance (UPFA) came to a climax with the cross-over of Mr. Hussain Baila, the SLMC parliamentarian, to the government side when the parliament reconvened on May 18. to elect a new Deputy Speaker.

Mr. Hussain Baila is a National List Parliamentarian of the main opposition United National Front (UNF) in which the SLMC is a constituent. The SLMC nominated Mr. Baila through the UNF's list following the election last month.

The SLMC General Secretary Mr.M.T.Hassan Ali in a statement said that a disciplinary committee has been appointed to inquire into the conduct of three parliamentarians and a leading member of the party, Mr.Mashehi Innamulah, and to recommend necessary disciplinary action against them.

Meanwhile, the suspended parliamentarians, Messrs. Risard Badiudin, Najeeb Abdul Majeed and Hussain Baila announced in a press briefing that they would be functioning in the parliament as a separate group. They alleged that there was no internal democracy in the SLMC and demanded that Mr.Hakeem should step down from leadership to safeguard the party, sources said.

The dissident MPs further said a committee comprising Muslim theologians should be appointed to go into the allegations against Mr.Hakeem.

Just two days before the parliament was to convene on May 18, media reports in Colombo gave wide publicity to an allegation with salacious details that the SLMC leader, that Mr. Hakeem, was involved in an extra-marital affair lasting two years with a named woman. The SLMC leader had vigorously denied the charges, saying the allegations were "malicious, scandalous and cheap" fabricated by his political enemies, including the three SLMC Mps who later crossed over to the government side. He alleged that these MPs were being encouraged in their actions by governing party politicians who were seeking to obtain the support of the SLMC in parliament by blackmail. The English language weekly, Sunday Leader (16 May) published details of how the dissident SLMC MPs had manipulated the named woman into making the allega-

tions against Mr Hakeem.

SLMC sources said these dissident parliamentarians would be expelled from the party and new persons would be appointed

The three suspended SLMC parliamentarians are expected to support the governing party in parliament in the future.

In another development, one of the National List parliamentarians of the SLMC, Mr.W.Pushpakumara, has resigned from parliament. Making his maiden and final speech in parliament before tendering his resignation, he said he was resigning his national list MP post to strengthen the party.

Top Peace post for Jayantha Dhanapala

Jayantha Dhanapala, one of Sri Lanka's widely respected international diplomats, has been appointed by President Chandrika Kumaratunga as Secretary-General of the Peace Secretariat for Coordinating the Peace Process and as Senior Advisor to the President.

Mr. Dhanapala, who will take up his new post on June 1, will function directly under the President in these posts and will serve in an honourary capacity.

Mr. Dhanapala was the United Nations Under-Secretary-General for Disarmament Affairs from 1998 to 2003. He served for many years as a member of the Sri Lanka Foreign Service and was Sri Lanka's Ambassador in Geneva and in Washington DC. Dhanapala had his secondary education at Trinity College, Kandy, where he was awarded the Ryde Gold Medal for the best all-round student of 1956, on the basis of nationwide essay competition he was selected to represent his country at the World Youth Forum organized by the International Herald Tribune and spent three months in the USA in 1957.

His tertiary education was at the University of Peradeniya in Sri Lanka where he graduated with a Bachelor of Arts (Honours) degree; at the School of Oriental and African Studies of the University of London where he studied Chinese and at the American University in Washington, D.C. where he obtained a Master of Arts degree in International Studies.

After a period of three years as a corporate executive in Sri Lanka's private sector, Dhanapala was placed first in the combined open competitive examination for admission into the Sri Lanka Administrative Service and the Sri Lanka Foreign Service, and opted to enter to Sri Lanka Foreign Service in 1965.

Between 1965 and 1983 he held diplomatic appointments in London, Beijing, Washington, D.C., and New Delhi in addition to being Director of the Non-aligned Movement (NAM) Division of the Foreign Ministry during Sri Lanka's Chairmanship of the NAM.

In 1984 he was appointed Ambassador and Permanent Representative of Sri Lanka to the United Nations (UN) in Geneva with concurrent accreditation to the UN agencies in Vienna.

In 1987 the UN Secretary-General appointed Dhanapala to head the Geneva-based United Nations Institute for Disarmament Research (UNDIR) as Director.

Returning to the Foreign Ministry in Colombo in 1992 he was Additional Foreign Secretary until his appointment in January 1995 as Sri Lanka's Ambassador to the USA with concurrent accreditation to Mexico. He relinquished this appointment on 30 April, 1997 opting for early retirement from the Sri Lanka Foreign Service.

In August 1997 Dhanapala joined the Center for Non-proliferation Studies of the Monterey Institute of International Studies in the USA as Diplomat-in-Residence.

In January 1987 Dhanapala was appointed Under-Secretary-General for Disarmament Affairs in the United Nations and assumed duties on 1 February 1998.

At the end of February the Secretary-General appointed Dhanapala as a Commissioner in UNSCOM and the Head of the Special Group visiting the Presidential Sites in Iraq, in addition to his duties as Under-Secretary-General for Disarmament Affairs.

Dhanapala has represented his country at the United Nations General Assembly and at many NAM and Commonwealth conferences. He has also chaired many international meetings including the widely acclaimed 1995 Nuclear Non-Proliferation Treaty Review and Extension Conference.

He was awarded the 15th "Jit" Trainor Award for Distinction in the conduct of Diplomacy by the Edmund A. Walsh School of Foreign Service in Georgetown University.

On the invitation of the Government of Australia Dhanapala served as a member of the Canberra Commission - a group of 17 eminent international personalities who published an influential report on nuclear disarmament in 1996.

He has published three books and several articles in international journals and lectured in many countries. Dhanapala was born on 30 December 1938, is married and has one daughter and one son.

TNA wants US to lift LTTE ban

"The Sinhala political leadership has still not come to sense even after two decade old war that a political solution fulfilling the aspirations of Tamils should be found. In this context we first need an Interim Self Governing Authority (ISGA) to reconstruct the war-ravaged province and to resettle and rehabilitate hundreds of thousand internally displaced Tamil families in their lands. If the Sinhala leadership thinks that without first establishing the ISGA they could find a final political solution to the ethnic problem talks will not lead any positive results," Tamil National Alliance (TNA) parliamentary group leader Mr.R.Sampanthan appealed to Ms Christina Rocca, US State Department Assistant Secretary for South Asian Affairs.

A TNA parliamentary delegation led by Mr.Sampanthan and comprised parliamentarians Messrs Joseph Pararajasingham and Suresh Premachchandran met with Ms Christina Rocca at the official residence of the US Ambassador Mr.Jeffry Lunstead in Colombo on 14 May. Mr.Jeffry Lunstead and several US diplomats were present with Ms Christina Rocca during the discussion.

Mr.Sampanthan pointed out to the visiting US diplomat the urgent necessity of establishing the Interim Self Governing Authority (ISGA) in northeast province. The SL government should give first priority to the establishment of the ISGA before commencing talks on finding final political solution. "We cannot wait indefinitely without a just and fair political solu-

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tion to our problems in Northeast. The establishment of ISGA for the northeast province is urgently needed to reconstruct the war-ravaged province," he reportedly told Ms Rocca.

"The international community should tell publicly the Sri Lankan government that it would not prevent Tamils going their own way to achieve their rights if Sinhala leaders fail to find a political solution to meet their legitimate aspirations. This will contribute to the success of the current peace process in finding a lasting political solution." Mr.Sampanthan had added.

The TNA delegation made a request to Ms Christina Rocca that the US government should lift the ban on the LTTE in U.S. The delegation argued that at the last general election Tamils in the northeast had voted confirming the sole representative status of the LTTE. The lifting of ban on the LTTE would be considered as a positive move to make the current peace process a meaningful one, TNA delegation had pointed out.

Sangaree files polls petition

TULF President V.Anandasangaree on 12 May filed a fundamental rights violation petition before the Supreme Court challenging the Parliamentary election of April 2004 in the Jaffna electoral district saying it was not free and fair.

Mr. Sangaree is seeking Rs one million as compensation for alleged infringement of his fundamental rights to equality, the freedom of speech and expression as well as the freedom of movement.

He cited Jaffna Returning Officer, Elections Commissioner, the Army Commander and several others as respondents. In his petition Mr. Sangaree said despite his instruction as the TULF President, party General Secretary R. Sampanthan had visited the LTTE leadership and finalised the nomination list of TNA candidates, leaving him out and they contested under the Ilankai Tamil Arasu Katchi (ITAK), which was a defunct (but recognised) political party since 1977.

On February 23 this year, he submitted nominations for the Jaffna electoral district as the leader of an independent group. The LTTE being ill disposed towards him made several death threats against him, his candidates and his supporters even before the nomination, he alleged.

During the election campaign the LTTE did not allow him, his candidates or his supporters to engage in any political activity, he complained. After the conclusion of the election, he requested an annulment of the polling.

He alleged that the respondents failed to take appropriate actions to ensure an atmosphere where he and his group could campaign and engage in political activities during the election which was not conducted in a free and fair manner, he charged.

He further alleged that on election day, voters were prevented from exercising their franchise freely and the election was marred by irregularities resulting in his being not elected.

The Peace Process: Issues at the Centre

Sathya

Part I:

Norway's Role Reassessed

The agency wires, print media as vell as the grapevine were clogged vith reports and analysis relating to the enewal of the stalled peace talks beween the Government of Sri Lanka and the LTTE. The catalyst was, of course, the recent visit to Colombo by the Norwegian deputy foreign minister Vidar Helgessen and Special Envoy Erik Solheim, followed by a high-ranking visit by the Norwegian Foreign Minister Jan Peterson scheduled for next week. The itinerary included meetings with President Chandrika Kumaratunga and the LTTE leader, Velupillai Pirabhakaran. Norway is back in town!

The turn of events followed a telephone conversation between the President and the Norwegian Prime Minister on April 22, which was highlighted in a press release issued by the President's Secretariat, calling on the Norwegian Government to resume its facilitator role. The Norwegian Ministry of Foreign Affairs likewise issued a press release a few days later on 27th April stating that "the Norwegian delegation will explore with the two parties possible ways to take the peace process forward and how Norway might assist in this regard".

So, what are the implications of this development? Firstly, it may be recalled that at a media briefing in Colombo on Friday the 15th November, 2003 the Norwegian Deputy Foreign Minister Vidar Helgessen announced quite dramatically that Norway will "go home and wait" till there is clarity as to who is holding responsibility on the side of the government.

Further, the operative paragraph in the prepared text that was circulated to journalists at the media briefing stated, "As far as our mandate goes, we have one clear conclusion: peace talks could have started tomorrow, provided there was clarity about who is holding responsibility on behalf of the Government for the continuation of the Ceasefire Agreement. Until last week there was such clarity. Today there is no such clarity".

This was in relation to the move by President Chandrika Kumaratunga to assume the Defence portfolio, amongst other portfolios, on 4th November, 2003, sparking a political crisis and paving the way for the subsequent holding of General Elections of February 2, 2004. The timing as well as the manner in which Norway temporarily halted its role as a facilitator/mediator was widely interpreted by many political commentators, as an attempt at shaping events in the national political scene as well as in forging international opinion against the move by President Chandrika Kumaratunga. The fact that Norway took no such decision to suspend its role, when the LTTE decided to pull out of official negotiations in April last year, was often cited as a case of duplicity on the part of Norway.

In this context, it was also predictable that when the Karuna episode erupted the SLMM pulled out, allowing the Vanni-based LTTE leadership to send in reinforcements to the East in clear violation of the ceasefire agreement.

That is now history. The recently concluded General Election has thrown up a Government which, although a minority Government, does not face the problem of cohabitation between an Executive President and a Prime Minister who belong to different political formations. However, it remains to be seen whether the constituent members of the UPFA can cohabit amongst themselves! But, that is another matter. The fact of the matter now is that the UPFA in its election manifesto clearly stated that the ceasefire would continue and negotiations will recommence with the LTTE, but along a "correct" path.

So, what is the "correct" path envisaged by the UPFA and would the LTTE agree? For instance, LTTE's chief negotiator and political advisor (also known as the "ideologue") Anton Balasingham, soon after the President's announcement calling on Norway to resume its role, told the Jaffna-based Uthayan newspaper, "Before resuming the peace process, our leadership is deeply and clearly examining President Chandrika Kumaratunga government's true position in relation to the key areas of the process. We will invite Norway on our part only if the leadership is satisfied with the situation. Our leadership will not show any urgency in this regard".

The LTTE also clearly stipulated that its proposal for an Interim Self-Governing Authority (ISGA) will constitute the basis for future negotiations.

Norway's dual role

Regarding Norway's role, one area that needs to be re-examined is its hitherto dual role as the facilitator/mediator and monitor.

As a facilitator/mediator, Norway's primary concern is to the peace process and not rocking the peace boat. As such, when it comes to its role as the Head of the Sri Lanka Monitoring Mission (SLMM), it has sought to subordinate its monitoring role to its mediatory role, to the extent of turning a blind eye to gross ceasefire and human rights violations by the LTTE and sometimes the Government. In the context that the SLMM has no powers of enforcement, it has to rely on "naming and shaming" as the main instrument of deterrence. This, Norway has unfortunately desisted from doing for fear of embarrassing the LTTE. It also goes contrary to its agenda of empowerment and legitimization of the LTTE as a "partner" in the peace process. The outcome of this deficiency has been the virtual granting of a license to the LTTE to engage in child conscription and political killings.

It is in this context that Norway should take seriously the recommendation made by a team of concerned academics and intellectuals (i.e. Tyrol Ferdinands, Kumar Rupesinghe, Paikiasothy Saravanamuttu, Jayadeva Uyangoda and Norbert Ropers) in their monograph, *"The Sri Lankan Peace Process at Crossroads"*.

To quote: "Explore together with the parties how the leadership of the Sri Lanka Monitoring Mission (SLMM) could be handed over to another country without endangering the stability of the truce in order to ensure no conflicts of interest between the roles of facilitator and of the monitor".

While Sathya is appreciative of the intentions of Norway which is to assist the parties in taking the peace process forward, the consequences of the methodology adopted by it so far has been inimical to pluralism, democracy and human rights.

The Norwegian Government must realise that when it involves itself in the affairs and problems of the peoples of other countries and nations, it has a far greater responsibility than when handling the affairs of its own people.

This applies to States as well as individuals.

Part II:

Peace process - continuity or change?

Some of the issues that currently occupy centre stage can be listed as follows: Will the LTTE continue to be recognized as the 'sole representative' in the talks or will there be greater inclusivity? Will the Interim Self-Governing Authority (ISGA) be the sole basis for negotiations or will it be based on a multiple-agenda? Will Norway continue to wear the two hats as the sole mediator in negotiations and the Head Monitor of the Ceasefire Agreement? Would the CFA itself undergo any fundamental change?

In fact all of the above boils down to one key question, namely, will the recommencement of the stalled peace talks as well as the advancing of the peace process be a continuity from where it stopped (or stalled), or would there be any re-designing of the process and a possible disjuncture? In short, will there be continuity or change?

At the outset it can be safely assumed that the LTTE clearly prefers a continuity and to proceed along the same "principles" and "atmosphere", as it indicated in a recent press release issued from Kilinochchi. In fact it has every right to prefer a continuity given that the peace process, as it was conducted by the UNF Government with inputs from Norway over the past two years, led to the LTTE consolidating itself in terms of territory, arms and ammunition, cadres and legitimacy, not to mention the extermination of perceived "traitors", whether be it Tamil members of the Sri Lankan military-intelligence operatives or activists and leaders of Tamil political parties which refuse to recognize the LTTE as the sole representative of the Tamil people.

The LTTE's perception of "continuity" is based on the assumption that the peace talks stalled only after President Chandrika Kumaratunga assumed the Defence Portfolio on November 4, 2003, just a week after the LTTE unveiled its proposal for an Interim Self-Governing Authority for the North-East (ISGA). It is therefore assumed that the peace talks should commence with the ISGA as the "sole" basis for negotiations. It is also an assumption that the opposition UNP seems to favour, although it remains conveniently coy on its actual position on the ISGA.

Suspension of talks

It is Sathya's contention, the above assumption is fundamentally flawed. The official peace talks or Track One negotiations in fact stalled not in November 2003, but in April of 2003 when the LTTE took the decision to suspend its participation in official talks with the Government.

In a letter sent to then Prime Minister Ranil Wickremesinghe dated 21st April, 2003, the LTTE declared that it had "decided to suspend its participation in the negotiations for the time being" and to not attend the Tokyo donor conference in June 2003. The reasons cited by the LTTE included frustration at not being invited for the international donor conference in Washington on 14 April 2004 and delays in restoring normalcy in the Tamil areas and in addressing the grievances of the internally displaced persons.

However, it is interesting that the LTTE should have decided to suspend its participation in official negotiations precisely at the moment when human rights issues as well as core political issues were being brought into the agenda.

It may be recalled that at the 6th Session of Talks in Hakone, Japan, from 18-24 March 2003, the parties asked their international human rights advisor, Ian Martin, to draft a Declaration of Human Rights and Humanitarian Principles, the planning of a programme of human rights training for LTTE cadres and government officials and the strengthening of the Human Rights Commission of Sri Lanka to enable it to develop the capacity for increasingly effective monitoring throughout the country.

It was further agreed to expand some preliminary issues and a framework for political matters into a "complete plan" at the 7th Session of talks. This was in reference to the Sub-Committee on Political Matters which was mandated to go into federal structures in accordance with the Oslo Declaration of December 2002, which committed the Government and the LTTE to "explore a solution founded on the principle of internal self-determination in areas of historical habitation of the Tamil speaking peoples, based on a federal structure within a united Sri Lanka." Hence, it is Sathya's contention that the un-stated reasons for the LTTE to suspend its participation in direct talks in April 2003 were its reluctance to engage on issues relating to human rights as well as on matters relating to a final negotiated political and constitutional settlement.

Be that as it may, if there is to be any continuity in the peace talks, it is logical to argue that it must continue not from the ISGA proposals unveiled in October 2003, but from the decisions taken at the 6th Session of Talks in March 2003 and from the situation prevailing when the LTTE opted out of the talks in April 2003.

Herein lies the duplicity in LTTE's stand as well as in the stance of those who argue in favour of continuity having only the ISGA in mind, whilst ignoring matters relating to humanitarian issues, human rights and a final constitutional and political settlement.

In this context, it is unrealistic to demand that the ISGA should be the "sole" basis for negotiations, although it can and must constitute one of many items in a multiple peace agenda.

Ceasefire Agreement

Let us now take the Ceasefire Agreement (CFA). It is clear that from the time it was signed in February 2002 by LTTE leader Velupillai Pirabhakaran and Prime Minister Ranil Wickremesinghe, without the knowledge and consent of President Kumaratunga, the Head of State and the Commander-in-Chief, the CFA had undergone nu-

merous changes.

In fact, the LTTE did at one time demand its re-negotiation so as to incorporate sea movement of LTTE cadres into the agreement, with Norway coming out with a proposal that sought to give de jure status to the de facto LTTE naval units. In addition, it is now abundantly clear that the UNF Government was prepared to look the other way when the LTTE brought in shiploads of arms and ammunitions.

This was all done in the name of maintaining a "military balance". As Austin Fernando, the former Secretary to the Ministry of Defence, conceded recently in an article to the Daily Mirror (8th May, 2004), "many are not aware that the Ministry of Defence, Peace Secretariat, Security Forces, SLMM and LTTE have come into provisional arrangements, which are not clear in the CFA".

It is therefore clear that the CFA is not something that can be expected to be static. It is bound to evolve to such a point that it would either require formal amendments to give its many ad hoc measures a legal standing or the removal and replacement of those provisions that are inimical to the smooth implementation of the CFA. Further, the CFA has to go beyond being an instrument that only regulates relations between the two standing armed forces and venture into areas where these forces infringe on the collective and individual human rights of civilians.

This includes political killings, child recruitment, the High Security Zones, extra-judicial killings and so on which continue to plague the peace process. In short the re-negotiation of the CFA is unavoidable when the peace talks recommence. To argue otherwise is to play the ostrich.

Finally, one cannot run away from LTTE's insistent claims that it is the sole representative of the Tamils and that the Government should speak to no one other than itself. But, does that mean that the principle of inclusivity should be sacrificed? The answer is simply NO. The LTTE can be conferred the status of "sole" representative at the "head table" as before where only three actors were seated, namely representatives of the Government of Sri Lanka, LTTE and Norway.

Even here, injustice was done to the Muslims of the Eastern province when despite assurances given that there shall be a separate Muslim delegation, it was never implemented. This lacunae needs to be bridged when peace talks recommence. Further, the LTTE cannot insist on its "sole representative" status at the "long table" comprising other political parties and legitimate stakeholders, including civil society.

That "long table", where broad consultations could take place, was not evident in the UNF-Norway-LTTE scheme of things. In fact, this was seen as a hindrance by the holy trinity. This must change. Inclusivity is an essential prerequisite to ensure the durability, sustainability and equity in any peace process. This does not necessarily mean that the "head table" and the "long table" should be located at the same venue and at the same time.

Lastly, the LTTE should realise that it is a part of the Tamil people and society and not vice versa. In fact, when the ISGA proposals were being formulated, the LTTE merely informed its parliamentary proxies, the TNA of its decisions.

The TNA was not in any way consulted or even allowed to take part in the deliberations that led to the formulation of the ISGA. It is therefore clear that even in relation to Tamil interests the "sole representative" status of the LTTE should be qualified and confined only to the "head table". It should not obstruct the wider Tamil opinion and interest from being articulated and incorporated into the wider peace process.

In sum, it is Sathya's contention that continuity for the sake of continuity is not necessarily a good thing. At times a disjuncture is necessary to take a process forward and evolve to a higher stage. Neither the LTTE, the UPFA nor Norway should in any way feel threatened by the notions of redesigning the peace process, if there is such a need. Likewise, the UPFA and, in particular, the JVP should not try to use the re-designing of the peace process as a means of scuttling it. Herein lies the need for civil society to intervene so as to ensure that a balance between change and continuity is maintained.

Part III

Sole representative: Much ado about nothing

The UPFA Secretary, Susil Premjayanth on Saturday 9th May issued a statement which sought to clarify the UPFA's stand on the LTTE claim that they are the sole representative of the Tamil People. The statement further sought to clarify an observation made by Lakshman Kadirgamar that the Government by "implication" recognizes the LTTE as sole representative of the Tamils.

The JVP, a constituent member of the UPFA, however, issued a statement the following day on 10th May, that "that the LTTE should be a principal party to the negotiations. We will not accept the LTTE as the sole representative of the Tamils".

So, what exactly is LTTE's status?.

Going back to the UPFA statement, the following is the operative section: "Negotiations concerning the resolution of the ethnic problem in Sri Lanka have always been conducted between the Government of the day and the LTTE except at Thimpu. On all such occasions the Government and the LTTE have been the principal negotiating partners. This was so during the time of President Premadasa, during the first administration of President Kumaratunga and during the two year regime in which former Prime Minister Ranil Wickremsinghe's government was conducting the negotiations on behalf of Sri Lanka. This historical fact is reflected in the current Ceasefire Agreement which was signed only by the leader of the LTTE and the former Prime Minister of Sri Lanka. Thus, taking into account the political and ground realities concerning the conduct of the negotiations it is clear that the two principal parties at the negotiation table can only be the Government and the LTTE. It is on this basis that Foreign Minister Kadirgamar was correctly quoted by the 'Island' Newspaper on 30th April 2004 under the headline, 'Govt recognizes by implication LTTE as sole representative of Tamils'".

Firstly, it is factually incorrect that all negotiations after Thimpu on finding a negotiated settlement had taken place only between the Government

and the LTTE. To set the record straight, following the collapse of the Thimpu Talks in mid-1985. the Government of India, playing the role of a mediator, initiated a series of "proximity talks" that involved primarily the Sri Lankan Government and the TULF. However, all other Tamil politico-military organizations represented at Thimpu (i.e. LTTE, EPRLF, TELO, EROS and PLOTE) continued to be consulted. The "proximity" talks were based initially on what was called the "Draft Framework of Accord and Understanding" of 30th August 1985 which later evolved into what came to be termed the "December 19" proposals of 1986.

Indo-Lanka Accord

The Indo-Lanka Accord of 1987 recognized these two proposals as the basis for future negotiations. Unfortunately and, this remains the main flaw in the Accord, future negotiations on "residual matters" were to be conducted only between the two Governments. But, the point to be noted is that all Tamil parties that took part in Thimpu were invited to a meeting with Prime Minister Rajiv Gandhi on the eve of the signing of the Indo-Lanka Accord in July 29, 1987 to ascertain any apprehensions or observations that they may have on the terms of the Accord and related matters. This meeting took place the day before Prime Minister Rajiv Gandhi left for Colombo

If one moves on to the tragic developments following the signing of the Indo-Lanka Accord and the renewal of armed hostilities, this time between the LTTE and the IPKF, what we had was the passage of the 13th Amendment which was rushed through parliament without any meaningful negotiations on "residual matters". Be that as it may, elections to the North-East Provincial Council were held in November 1988 and the EPRLF-led coalition formed the first and the only elected N-E Provincial Council to date.

That the polls were severely flawed with the EPRLF-led coalition enjoying the full patronage of the IPKF is no secret. But, what is relevant to the issue is that negotiations commenced between Chief Minister Varadarajaperumal of North-East Provincial Council and President Premadasa on giving effect to devolution of power embodied in the 13th Amendment to the Constitution. In fact, the North-East Provincial Council in its first policy statement on assuming office declared that the powers devolved under the 13th Amendment "hardly satisfy the aspirations of the Tamil speaking people of the North East province" and that it would commence negotiations with the Premadasa Government with a view to "working out a satisfactory package of devolution". That the outcome of these negotiations was far from satisfactory is another matter.

But the fact of the matter is that negotiations did take place with Tamil political parties other than the LTTE. This again belies the statement issued by the UPFA that negotiations after the Thimpu Talks, concerning the resolution of the ethnic problem, had been held only between the LTTE and the Sri Lanka Government.

Again, one cannot ignore that in both the All Party Conference convened by President Premadasa in 1989-90 as well as in the Mangala Moonesinghe Parliamentary Select Committee of 1991-92, the Tamil interests were represented by Tamil political parties other than the LTTE. Neither were these parties the "proxies" of the LTTE. In fact, when the issue of de-merger cropped-up, seven Tamil organizations, TULF, EPRLF, ENDLF, ACTC, EROS and PLOTE presented a Joint Memorandum to the Chairman of the Select Committee stressing that, "We are of the considered view that, as far as the Tamil People are concerned, any meaningful attempt at solving the Tamil Question can only be on the basis of an unified politico-administrative entity" for the merged North-East". Here again, the issue that Sathya is raising is not the pros and cons of merger/de-merger, but the fact that Tamil political parties, other than the LTTE were in fact engaged in negotiations on resolving the Ethnic Question during this period.

Still again, following the collapse of the PA-LTTE peace talks of 1994-95, for the first time in Sri Lankan contemporary history, the Government of the day recommended the dismantling of the unitary state and its replacement with a "union of regions" based on the federal idea. One of the architects was the late Dr Neelan Tiruchelvam, a Tamil intellectual cum politician, who was by no means an LTTE ideologue or an LTTE proxy! He was in fact blown to bits by a LTTE suicide bomber!

In sum, the stand taken in the UPFA statement that, "Negotiations concerning the resolution of the ethnic problem in Sri Lanka have always been conducted between the Government of the day and the LTTE except at Thimpu" is, to put it mildly, untenable.

Now let us proceed to the claim by the LTTE that it is the sole representative of the Tamil People and the statement of the UPFA that the LTTE are the sole representative by "implication". That the LTTE should explicitly assert that it is the sole representative of the Tamil people is understandable and predictable. It cannot be otherwise. That is the very nature of the LTTE which stands for everything that is a negation of democracy!

Undemocratic claim

But, pray how could anyone else imply or confer the status of "sole representative" of the Tamil people on the LTTE or on anyone else for that matter? The LTTE, obviously, has a role to play as the principal negotiator when it comes to negotiations and direct talks. But that is negotiations. How does that make the LTTE the sole representative of a People? While the term "principal" negotiator is consistent with the principles and norms of negotiations given the ground politico-military reality, the term "sole representative" has far reaching connotations and consequences. The very term itself is obsolete, archaic and undemocratic.

It is indeed ironic that many cite the outcome of the polls in the North-East as sufficient cause to extend to LTTE this status of "sole representative". That the manner in which both the election campaigning and the electoral process was conducted was farcical is now well recorded and will no doubt resurface if the election petition of the EPDP and the Fundamental Rights Case of Anandasangaree are taken up by the judiciary . But, even if

one were to assume that the LTTE proxies swept the polls in a free and fair elections, does it make the victors the sole representative of an entire people for all times? Are we then saying that there is no need for elections in the North-East in the future? Are we not ignoring the fact that although the LTTE may be monolithic, Tamil society is not? Are we not rejecting the principles of pluralism and political diversity? Or, if one takes the national level, is it in fact necessary for a political party to be represented in parliament to be considered as representing the interests of those who voted for them? For instance prior to 1994, when the JVP had no representation in parliament, could one have argued that the JVP did not represent sections of the Sinhalese People? Or, conversely could one have argued that the UNP and the SLFP together constitute the sole representatives of the Sinhalese People?

As H.L.de Silva, with whom Sathya had locked horns on several occasions in the past and across the ethnic divide, noted in a recent public lecture, "there can be no question of a single group being the 'sole representative' of a people, even though they claim to be their liberators and the repositories of ultimate wisdom. That is naked hegemonism which is the very anti-thesis of self-determination". Suffice it to say, the concept of Sole Representation has no place in any discourse on democracy or for that matter in any democratic society.

The notion of a principal negotiator, on the other hand, is quite consistent with acceptable norms and principles of negotiations. In this context, the clarification of Lakshman Kadirgamar during the discussion that followed his presentation at the Brookings Institute in Washington D.C last week that the Government sees the LTTE by implication as the sole representative of the Tamil people only "at the negotiating table" and would include "the whole community outside the negotiating table to ensure that everyone understands the issues and the progress in negotiations" somewhat salvages the confusion created by the earlier reported comment when he was in India.

It was in the end all a case of much ado about nothing! ❑

Negotiation outcome: Some rethinking

Jayadeva Uyangoda

President Kumaratunga as well as the LTTE leadership in Kilinochchi appears to be quite keen to resume peace negotiations as soon as possible. The LTTE leadership gives the impression in their public statements that they are quite satisfied with the way in which President Kumaratunga has positively responded to their preliminary requests, made through the Norwegian facilitator. Key among them are the recognition of the LTTE as the 'sole representative' of the Tamil people, focusing of talks on the LTTE's ISGA proposals and holding the talks outside Sri Lanka. It may also be the case that President Kumaratunga has agreed not to include Foreign Minister Kadirgamar in the government negotiation team.

Although the indications from Kilinochchi are that the LTTE is quite pleased about the satisfactory progress of the preparations being made to begin the talks, people in the North appear to maintain doubts. In a recent visit to the North, I found a clear contradiction between the positive public posture of the LTTE leadership and the deep skepticism of the people concerning the prospects of negotiations with President Kumaratunga.

Confidence deficit

This may perhaps be good news for the opposition UNP, which last week expressed its opposition to what it saw as the subjection by President Kumaratunga of negotiations to an agenda of political expediency. Still smarting from the unanticipated electoral defeat in early April, the UNP does not want to acknowledge President Kumaratunga's early success in persuading both the Norwegians and the LTTE to accept her offer to resume the talks. The UNP leaders may have felt a little embarrassed to watch the great enthusiasm with which the Norwegians appear to assist President Kumaratunga to implement her new peace agenda. No political observer would have actually missed the Norwegian keenness to establish good relations with the new UPFA regime. Yet, without addressing the very sharp confidence deficit between the people in the North-East as well as the LTTE and the new UPFA regime, conditions may not yet be ripe for serious political negotiations.

One positive dimension over which President Kuamratunga can feel pleased about is the fact that the LTTE leadership seems to have come to terms with the regime change in Colombo. They communicate the impression that they have to deal with the leadership of the Colombo government at a given moment, and not necessarily with a Wickremesinghe or a Kumaratunga. In a recent interview with the MTV, Thamilselvan, the Head of the LTTE's political wing, made this point very clear. He also emphasized that the LTTE would want to stay out of the power politics in Colombo.

When one looks at the broad trajectory of the peace process during the past two years, one can argue that the change in the political leadership in Colombo can still be turned beneficial for the future directions of negotiations and peace in Sri Lanka. Actually, no party should have, or claim to possess, the monopoly to the bona fides of politically engaging with the LTTE. Similarly, it is important that all major political parties are at some time or another do serious political dealings with the LTTE. The UPFA has in its fold the JVP, the MEP and even some elements of extreme Sinhalese nationalist Jathika Chinthanaya group. This is a remarkable combination of forces who are facing the challenge of turning their back on some of the positions which they passionately held until the last

month or even the last week.

The fact that the UPFA regime, composed of all these forces, is negotiating with the LTTE despite their previous hard-line anti-LTTE positions may appear unbelievable, and even surreal. But, what is good about it is that once the UPFA takes the plunge this time, almost all major actors in the Southern political spectrum will have had dealings with the LTTE. No major actor, expect the JHU, can then claim nationalist innocence. In the same way, no major actor can shy away from the task of approaching with a sense of responsibility the ethnic conflict, the peace process, international facilitation and mediation, negotiation and a negotiated settlement.

Sufficient preparations

Meanwhile, the diplomatic and donor community in Colombo seems to have advised both the UPFA government and the LTTE not to rush into talks without adequate preparation. This is a good advise, given the complex challenges that the coming phase of negotiations will pose to both the government and the LTTE. But the UPFA is repeating a mistake that was made in previous occasions too. It is in the process of re-inventing the negotiation wheel, with no institutional continuity or continuity of personnel involved in the previous interactions with the LTTE. According to reports, even the Peace Secretariat is being handed over to an entirely new set of individuals, loyal to the UPFA government. There does not seem to be any close learning from those who dealt with the LTTE at many complex levels during the past two years. As far as the Colombo government is concerned, negotiation with the LTTE is an exercise without an institutional memory. But, this does not seem to bother President Kumaratunga or her advisors.

Meanwhile, negotiation between the government and the LTTE this time will have a very specific character. If the talks begin, they must produce an outcome in the form of a mutually agreed internal self-government mechanism for the LTTE in the North and East. This is not the first phase of negotiations which the UNF initiated and the LTTE brought to an abrupt end without much serious consequences.

In fact, this is the second phase that has to bring about a political outcome if the ceasefire agreement is to survive. Actually, the government as well as the LTTE is under tremendous pressure to continue with the CFA. But that is not a sufficient condition for an interim administrative structure to emerge. The path to in interim settlement to the conflict is paved with political landmines.

Most of the difficulties that will arise with regard to removing those political landmines are linked to the peculiarities of Southern politics. They arise from the following fundamental contradiction that seems to define the present phase of Sri Lanka's ethnic conflict. Sri Lanka's ethnic conflict has reached a stage in which a negotiated settlement within the framework of federalist regional autonomy is both feasible and possible; yet, the Sinhalese polity is not ready to embrace federalism as a viable option. For many in Sinhalese society, federalism is the inevitable stepping stone to separation, although federalism can also be the prelude to political re-integration. It is probably the case that the Sinhalese society has not yet reached the stage of accepting the re-integrationist potential of federalism and regional autonomy.

In a recent visit to Killinochchi, I had the opportunity to explore this problematic with my fellow columnist Jehan Perera in our morning walk through the clusters of impoverished households and open fields that await something to happen to change their current existence of misery.

As I argued with Jehan, objectively, the settlement of the ethnic conflict requires a framework of extensive regional autonomy. But, the problem is that there are no sufficient ground conditions to facilitate the constitutionalization of that objective need within an integrationist paradigm. In conceptual terms, this is a contradiction between the presence of an objective necessity and the absence of ground conditions to sustain it.

The objective reality for regional autonomy exists primarily in the North and East and not much in the rest of the country. Similarly, the conditions for that regional autonomy to be sustained within a re-integrationist trajectory are yet to be created in the North and East. The simple conclusion then is that constitutionalizing a reality that has only a partial presence in the polity is not feasible. The LTTE and the UPFA government will be called upon to grapple with this contradiction, the moment they begin to deliberate on the LTTE's ISGA proposals.

Way out

What is the way out from this contradiction? There is one that requires the LTTE to re-examine afresh its whole strategy concerning the ISGA. It calls for creating ground conditions for sustainable regional autonomy first and then constitutionalizing it subsequently. It is always prudent to legally codify a situation that exists in the concrete life of the people, rather than codifying something that does not exist at present but is expected to appear in the future.

This reading of the situation presupposes that in a prudent course of action, the Colombo government and the LTTE will not immediately constitutionalize a formal interim administration as such, but build new institutions and mechanisms that have all the capacities and functions of an interim structure. This may be described as a 'creeping interim administration approach.' Its objective is first to create a ground situation of a transitional administration and then let people become familiar with. Having it on the ground and adequately de-mystified, all political forces might accept the interim structure as a real, concrete condition that could be made a part of the constitution. Constitutional codification of an existing ground reality is not likely to arouse much resistance and rejection.

Such a strategic shift requires a great deal of political maturity and understanding on the part of the government in Colombo and the LTTE in Kilinochchi. Hopefully, the engagement between the two sides in the coming weeks will facilitate such radical re-thinking of their settlement strategies and outcomes. ❑

Peace process set to move forward despite scepticism

Jehan Perera

After two and a half years of ceasefire, the LTTE's administrative city of Kilinochchi is considerably different from what it was during the years of war. There are signs of development in the basic infrastructure, such as the opening of a new district hospital with Japanese aid. There are a number of solid concrete yellow bus stands being put up, although the number of buses on the road is still relatively small. Several restaurants have come up, including one with a rather sophisticated bar that serves a wide variety of alcoholic drinks. But these signs of modernity belie the poverty that continues to afflict the lives of the vast majority of people.

The poverty in the villages of the Kilinochchi district is greater than that of the poorest villages in the rest of the country outside of the north east. Most people live in mud huts with thatched roofs. The shops have only very basic commodities for sale and are sparsely stocked. Therefore when the LTTE complains that the people are getting restless, they are speaking about the reality of life in the areas that they control. The LTTE needs to find a way out of this situation soon, and that way is certainly not war. The people do not want war and the LTTE does not speak of it either. The way out for them is to have peace talks with the government that will yield a positive result where the lives of the people of the LTTE-controlled areas and the larger north east is concerned.

During the six month period in which the LTTE held six rounds of peace talks with the former UNF government, the two parties came to the point where they were discussing the establishment of joint mechanisms to enable large scale funding to meet the development needs of the people. One of the key institutions in this regard was going to be the North East Reconstruction Fund, that was to have World Bank involvement, and to which massive donor funds could have been transferred for use in the north east. The setting up of institutions such as the NERF would be in a continuum with the establishment of an Interim Self Governing Authority as demanded by the LTTE. Another set of key institutional mechanisms that were being negotiated at the close of the final round of peace talks was that of human rights, which would also need to be guaranteed in any form of interim administration.

Spending this last weekend in the Wanni in the company of senior editors from the national media, and meeting with the leaders of the LTTE's political wing, it was evident that the LTTE is keen on talking peace with the new government. They will do so regardless of the past negative actions and even greater negative statements of the new government's constituent members when they were in the opposition. This is because they cannot afford to wait for another year or perhaps two or three, until a hypothetically better government comes around, which may also never happen. They will therefore do business with this government, providing it meets certain minimum conditions, such as willingness to talk about the LTTE's interim self governing administration for the north east.

LTTE position

A clear sign of the LTTE's commitment, or lack thereof, to cooperating with the new government will be revealed in the forthcoming votes in Parliament later this week. There will be voting for the posts of deputy speaker and chairman of committees. The manner in which the LTTE advises the 22 strong group of TNA MPs to vote will prove decisive in who will be elected.

It is unlikely that this decision will be made unilaterally by the LTTE. They will discuss the matter with the TNA MPs who have been requested to come to Kilinochchi to discuss the matter and arrive at a joint decision.

Where the game of politics is concerned there will be joint consultations between the LTTE leaders in the Wanni and the Tamil parliamentarians who have greater experience in the ways of political gamesmanship. On the last occasion, when it came to electing the speaker, the TNA voted for the opposition UNP's candidate who won this critically important post as a result.

However, this was before the President publicly announced her decision to resume the peace process with Norwegian facilitation. The question is whether the TNA will vote for or against the government in the forthcoming test of strength in Parliament. When it comes to the vote in Parliament there will be two contrary pressures upon the LTTE. The first would be the difficulty to vote against a government with whom they are contemplating having peace talks.

The LTTE's current position is that they are prepared to commence peace talks immediately, but provided that the government is prepared to make the issue of the interim self governing authority for the north east the basis of such talks. If the government were to find a way to satisfy this condition of the LTTE then the talks can begin very soon. It would be difficult for the LTTE to vote against the government in these circumstances. A course of action that the LTTE may decide to follow would be to advise the TNA to abstain from voting, which would automatically enable the government to prevail in Parliament.

Even by the mere act of abstaining, the TNA will ensure that the government's candidates win. There can be no neutrality in this matter, because even abstaining from voting will have consequences. This is the same situation that the Buddhist monks of the JHU faced over the election of speaker. By thus enabling the government's candidates to win, the TNA (and hence the LTTE) will be signifying their partnership with the government. Therefore it can be seen that in deciding to back the TNA during the general elections, the LTTE has drawn themselves inexorably into the mesh of politics. This is one of the biggest successes of the peace process. The LTTE, which once rejected Parliamentary politics in Sri Lanka, have now become a vitally important party in it.

Complex situation

The revival of hope in the forward movement of the peace process has other aspects as well. The main one, of course, is the policy reversal of the government leadership, which was extremely critical of the peace process whilst in the opposition. The new government is now taking on all the components of the peace process developed by the former government.

Constituent members of the government, such as the JVP, which burnt effigies of the Norwegian facilitators, are now engaging in sophistry and wordplay saying, for instance, that the Norwegian role is acceptable if it is confined to that of being mere facilitator, without extending to that of mediator. Another cause for optimism has been the swift response of the international community led by Norway, to the government's declaration that

it wished to recommence the peace process. The Norwegian response to the President's request was swift and at the highest levels.

The positive response of the Norwegian facilitators has been supplemented by the preparedness of the rest of the international community to view the government's policy reversal without being judgmental. In particular the decision of the US government to provide Sri Lanka with access to their Millenium Fund, which is worth USD 100 million to eligible countries, is a vote of confidence in the country's future, which is not tied to which party runs the government.

However, these positive developments at the level of the macro political actors, such as the government, LTTE and international community, need to be balanced by the pessimism elsewhere. The situation in the country as a whole remains polarised, both on ethnic and political lines. During the general election and in the period before it, the constituent members of the government engaged in ethnic nationalism that aroused antipathy in Sinhalese people towards the peace process. The UNP has made a harsh assessment of the government's policy turn around on the peace process.

Its spokesman has even termed it a sham, and as one merely geared to achieving partisan political advantage rather than the national interest.

Undoubtedly, there will be a sense of perplexity and betrayal among sections of the Sinhalese people who were told that the peace process of the former government was completely wrong. Now they see the new government doing the same as the former government and likely to go even further in terms of its compromises. Certainly, there was a common theme of deep scepticism about the sincerity of the present government that existed among the people of the LTTE-controlled Wanni and the eastern party of Jaffna peninsula. Through the mass media, these people know well the propaganda barrage that was unleashed in the south by the constituent parties of the government against the peace process during the past two years, and especially during the election period. Therefore, they appeared to have very little faith in the sincerity of the new government to move the peace process forward.

Whether it was the fishermen of LTTE-controlled Vadamarachchi East, traumatised women in a half way house in Kilinochchi town, the consortium of NGOs of Killinochchi district or low level LTTE cadres, they had one thing in common.

They all viewed the two years of the former UNF government very positively as being a period when the threat of war was removed from their lives. By way of contrast, the UPFA government, with its anti peace propaganda of the recent past inspires only a sense of scepticism and fear in them. In such a situation, it may be difficult for the LTTE hierarchy or for the TNA to take decisions that are strategic, but which appear to favour the UPFA government. There is a need for confidence building that the new government needs to engage in, with both the people of the north and south, whom they bamboozled in order to win the elections. ❑

India Shining!

Rajan Philips

'India Shining' was the BJP's 'feel good' election blitz that went awry. It celebrated India's prospering middle classes of three hundred million. Perhaps it took more credit than was due to the BJP. Perilously, as it turned out for the BJP, 'India Shining' ignored and even mocked the rural and urban poor who constitute the balance 70% of India. The gimmick backfired. The poor has taught the rich and the pundits a stunning lesson. 'India Shining' now means the power of India's democracy, the only power, with all its limitations, that is available to the poor.

Prime Minister Atal Behari Vajpayee called an election six months before it was due. He was hoping to take advantage of his personal popularity, encouraging state elections results in Madhya Pradesh and Rajasthan, positively exciting conventional economic indicators, and a promising *entente cordiale* with Pakistan, not to mention the afterglow of the Indian cricketing exploits in Australia and Pakistan.

The pundits predicted more than 310 seats for the BJP-led National Democratic Alliance of 22 parties. They were right about the number of seats but betted on the wrong horse. It is the Congress alliance (217), the Left Front (62), and the Uttar Pradesh's secular Samajawadi Party (38) that have amassed 317 of the 545 seats in India's 14th Lok Sabha. The BJP ended with 185 seats, losing 95 seats from the 280 seats it held in the outgoing parliament. Among the prominent casualties are foreign Minister Yashwant Sinha, losing out in the Hindi belt, and Petroleum Minister Ram Naik losing to Bolywood comedian Govinda of the Congress. All in all, a very remarkable defeat, the first major defeat for a stable government since 1977, when Indira Gandhi was justifiably punished for her two year emergency rule.

To Vajpayee's credit, he has accepted the defeat gallantly and gracefully. At 79, he can canter into his political sunset, proud of his long record as a politician and as Prime Minister. A gifted orator, a poet of note, and with a political base in Delhi in his youthful years, Vajpayee could have been a Minister in the Nehru governments, or a socialist firebrand in Opposition. But he apprenticed under Rashtriya Swayamsevak Sangh (RSS) and chose to represent the right-wing Jan Sangh, the progenitor of the present BJP. In many ways, he was a lone ranger on the right, a quality antidote to the right's strident Hindu chauvinism. His personal values and political sensibilities rank with the best in the Indian political tradition, and he championed that tradition in the face of challenges not only from within the ranks of his own volatile alliance, but also from the tired and feudally flabby Congress Party. As the Minister for External Affairs, Vajpayee was among the few sensible cabinet ministers of the error-prone Morarji Desai government of 1977-80. After a tumultuous decade of assassinations, unstable governments, and the Ayodhya fiasco, Vajpayee steadied the nation to even an even keel. The first non-Congress Prime Minister to complete a full term in office, Vajpayee transformed India's political map and reoriented the country's economic direction. He even managed to marginalise the Hinduthva diehards within the BJP. Ironically, the very areas in which he succeeded also provided the sources for his defeat.

Governing through Alliances

"The Congress is the country and the country is the Congress", declared Jawaharlal Nehru in 1953, but Nehru also saw to it that Congress membership was not open to those who allied with the RSS. Nehru's dominant party polity was a reasonably democratic response to the circumstances of his time, although its prolongation after Nehru might have had more to do with the autocratic and dynastic urges of his daughter Indira Gandhi than with the needs of the nation. Invariably, the Congress Party imploded, a process that had already begun under Nehru when Jayaprakash Narayan, Nehru's acclaimed heir, left the Congress with his Congress Socialist followers. The upshot of the Congress Party's disintegration was that there would be no all-India replacement to it. Filling the political void were regional parties; even parties with a national outlook became reliant on their regional bases. A single-party majority was no longer achievable and the Indian politicians have grown adept in forming alliances to provide stable governance at the centre, and no politician has been more successful in forming and maintaining governing alliances than Vajpayee. In him, the BJP found a moderate magnet to attract those disenchanted with the decadent Congress, who otherwise would have been repelled by BJP's Hinduthva hard core.

At long last, the Congress too learnt the lesson of forming alliances and has now beaten the BJP at its own game. But to succeed as a government, the Congress leaders will need all the political savvy given their inexperience in managing coalition governments. They should be humbled by the fact that the Congress accounts for only 147 seats, just over a quarter of the total Lok Sabha seats. Their immediate allies bring up the seat tally to 217, still below the half-way mark for a majority, and have to depend on others, especially the Left Democratic Front. The regional nuances and variations in the people's verdict should be an important consideration in shifting from a dynastic dominant-party mind set to a coalition culture. Arrogance of power, alienation of the poor, Internal conflicts within states, the incumbency burden of regional parties, and the minority votes are among the principal factors that led the defeat of the BJP in a number of states.

The South was the BJP's main graveyard. The Telugu Desam Party, BJP's main ally in the high-tech Andhra Pradesh, won only five of the State's 42 seats, while in the neighbouring Tamil Nadu, the DMK-led Congress allies made a clean sweep of the state's 40 seats. In Kerala, the CPM's home state, the pro-Congress Left Democratic Front won 18 of the state's 20 seats, while the Congress - for the first time its electoral history - failed to win a single seat in Kerala on its own. However, the BJP did well in the other high-tech state of Karnataka. The BJP impressively won the rural and the relatively deprived states of Madhya Pradesh and Rajasthan, while in the industrial state of Maharashtra, the BJP held on to the rural seats and the Congress won the urban seats. The regional parties in Punjab and Orissa, Akali Dal and Janata Dal, won the two states for the BJP, while it was the other way around in Uttar Pardeash where the state-governing Samajawadi Party led the defeat of the BJP forces. The success of the Congress in Gujarat is nothing less than a repudiation of the BJP for the horrific anti-Muslim riots two years ago.

The Left Democratic Front spearheaded by the two Communist Parties, CPM and CPI, have won 62 seats, a

record harvest for the Indian Left. Large winnings in Kerala and West Bengal and sprinklings of seats in other Southern and Eastern States have contributed to their success. The Left's success illustrates that being reliant on regional supports need not preclude political parties from projecting a national outlook. Conversely, in a parliamentary democracy, it is vital for the Left to first protect its electoral backyards before taking on global and national issues. It would also be fair to say that the CPM and the CPI are more vigorous in their defence of India's secular, democratic and socialist traditions, than any other Indian political party, and their principled support to the new government will be an important factor in reinvigorating these traditions.

Reasons and Implications

The BJP ran a two-faced campaign. On the one hand, it emphasized economic prosperity and downplayed Hindu nationalism, while on the other it relentlessly attacked Sonia Gandhi's 'foreign origins'. In the more esoteric debates of ideas, the BJP ideologues challenged the premises and the validity of secularism. Already, Jayalalitha in Tamil Nadu and Narendra Modi in Gujarat had enacted the ill-advised anti-conversion laws for their respective states. None of these efforts appears to have helped the anti-secularists in the election, although the most trotted reason for the BJP's defeat is its disconnect with the mass of India's poor. The open market, western outsourcing, and the high-tech hype have not answered the farmers' prayer for water and electricity and the needs of the urban poor for jobs and housing. There is much credence to this thesis, none more so than the defeat of Chief Minister Chandra-babu Naidu and his Telugu Desam Party government in the Andhra Pradesh state election that was held concurrently with the national election. A strong BJP ally, Naidu has long been India's high-tech poster boy. But the high-tech bubble, five-star hospitals and super highways, not to mention western accolades and World Bank's endorsement, could not help the Telugu farmers who want water, basic health services and affordable electricity and who are constrained to choose between suicide and debt repayment.

The BJP's defeat has been attributed to its arrogance and the disconnect between India's elites and the masses. Incumbency breeds arrogance and corruption and elections are the democratic ritual for periodical system cleansing. But the more fundamental challenge facing the new Congress-led government, and one that is confronting all South Asian countries, is that of reconciling the imperatives of a global economy that selectively favours a section of the population, on the one hand, and the cultural and economic existential needs of others who constitute the majority, on the other. The Hinduthva movement in India, and its Sinhalathva imitation in Sri Lanka, are in favour of marrying global capitalism with a narrowly defined indigenous culture. The two movements derive much of their sustenance from the materially prospering urbanites and the culturally alienated expatriates, neither of whom have any interest in or link to the mass of the urban and rural poor. That said, at the level of political mobilization and organization, the major political parties derive their support cris-crossing the different cultural and class divides. An interesting paradox is that in India the BJP promotes open capitalism and asecualrism, whereas in Sri Lanka the pro-capitalist UNP also portrays itself as being minority-friendly. A corollary difference is between the Indian tradition in which secularism and socialism tend to confluence, and the Sri Lankan tradition where socialism has usually been the subordinate ally of exclusive Sinhala-Buddhist nationalism. The Indian elections and the April election in Sri Lanka would seem to validate this assessment.

Viewed another way, the challenge facing the new governing alliance in India is also a great opportunity for reconciling globalism and mass priorities, as well as for encouraging religious pluralism within the framework of political secularism. Even the task of the 'socialists', if one might put it that way, should be that of challenging global capitalism to address mass priorities and minimize the uneven appropriation of its benefits, rather than a religious pre-occupation with overthrowing a non-existent imperial capitalism. One aspect of globalism is the virtual monopoly over national policies and programmes that the World Bank and the IMF have come to exercise. The Washington policy gurus should be told to follow the logic of their own hectoring insistence on unbundling monopolies and local decision making and allow national governments to decide on national priorities. No other country in the non-western democratic world has greater authority and responsibility to do this than India does. The BJP obviously listened too much the Bank and Fund mandarins in creating a whole Ministry of Disinvestment. It might have been too far fetched to have established in the past separate ministries for ferrous and non-ferrous industries, but there is no need to overreach in the opposite direction. The difference that the new government could make would be of benefit not only to India but also to its neighbours.

The second aspect of globalism is even tougher. And that is of addressing the priorities of the majority of the population who are involved in agricultural production. There have been no shortage of efforts to deal with the agrarian question under different policy regimes - from the 1959 Nagpur Congress resolutions, through the Green Revolution of the 1970s, to the current recycling of Ricardo's comparative advantage principle (a principle that was conveniently forgotten under colonialism). But these efforts have been overtaken by global changes while their impacts on the farmers have not been conclusively positive. From all that has been tried, it would seem reasonable to suggest a flexible policy framework that allows an interplay of farmers' initiatives and market forces at the local level, while limiting the government to providing a safety net to help farmers in times of adverse weather or global economic conditions.

Needless to say, the prospects for religious pluralism and political secularism have been enhanced by the defeat of the BJP. Secularism in India has its own historical and contextual meaning: it is more political and constitutional and lacks the anti-clerical and de-ritualizing roots of Western secularism. India is preeminently religious and incorrigibly ritual in its ways, and it will remain so. But India is also multi-religious, and its historical experience has been that a multi-religious society can survive and grow without ceasing to be religious, but only insofar as religion is not politicised. It is the latter that Nehru sought to ensure through constitutional secularism, and what is more remarkable than the Hinduthva opposition to Nehru is the passionate avowal of secularism by so many other Indians including Hindus, Muslims, Christians, Buddhists, Dalits and the Communists. Their acclamation of Sonia Gandhi as Prime Minister is a part of that avowal, and not an affirmation of dynasty as the mainstream Western media simplistically portrays. Not many countries in the world would legally allow a person of 'foreign origin' to be their Prime Minister, and unlike its South Asian neighbours India continues to pursue a vigorous alternative to self-destructing theocratic politics. 'India Shining', I would say as a South Asian. ❑

Federalism: answer to Sri Lanka's ethnic war

Kumar David

[**About this manuscript:** This document is being drafted in a very manuscript form, meaning some sections are written as paragraphs, some ideas are simply presented as bullet points and there are many interspersed comments for the purpose of a dialogue with the reader. This is because this is nowhere near a finished document – it is just an attempt to kick-off a discussion, to raise many points for consideration.]

Introductory Comment

Through a process of military exhaustion and political filtering federalism has emerged as the maximum that one community can grant and the minimum that the other will accept. Hence at the present time federalism seems to be the only viable compromise on which to base a constitutional formula for peace and settlement. Giving detail and substance to this concept is the life and death challenge that Sri Lankan society now faces.

Many of us on the left, especially the marxists, held that the Tamil people were entitled to the right to self-determination including the right to secede. We advised against secession but upheld the right – a conceptual subtlety that many Tamil militants could not grasp in the decades from 1970 to 2000. Today we observe that the issue of secession has become historically dated because the principal Tamil combatant organisation is seeking a negotiated settlement on the basis of autonomy and regional self-government. Hence the marxist perspective stands vindicated in theory, in strategy and through experience. Among the Sinhalese people too the firmness of the marxist position contributed a great deal to the defeat of chauvinism and as an educational wake up call to the people.

PRINCIPLE 1:

Sovereignty and Nationality

A viable constitutional settlement, in the prevailing national context, must incorporate the following features to be able to win majority public acceptance among the Sinhalese, Tamil and Muslim people of Sri Lanka.

? The Sinhalese community needs to be reassured and guaranteed that the new constitutional, political, administrative and military arrangements put in place by the settlement process cannot be subverted for the division of the island into two separate nation states.

? The Tamil community of the North and East needs to be provided with a territorial arrangement ensuring self-government in respect of day to day administration, autonomy in decision making in social and cultural matters, opportunities for economic development and freedom from fear and violence.

? The Muslim community must have guarantees of freedom of religious and cultural practice, recognition and protection of its identity and assurance in the North and East that it will not be subsumed under a larger Tamil umbrella.

? The Up-country Tamil people must be fully absorbed into Sri Lankan citizenship and be provided with economic and cultural development opportunities equivalent to those enjoyed by the majority Sinhalese community beside which they live.

Since the conflict and civil war in Sri Lanka and the tensions accompanying the present search for a negotiated settlement are essentially rooted in ethnicity, so too are the principles outlined above rooted in the identity and nationality concerns of the different communities of Sri Lanka. That is to say, it is not *homo-economicus* nor *homo-politicus* but rather the primary concerns of people as members of ethnic entities that a new constitution must address first and foremost.

PRINCILE 2:

Elements of the Federal System

I will now raise several specific issues, most of which are well known, for discussion. Sometimes I will propose an opinion and at other times only draw attention to the matter as an item that needs to be addressed as the discourse within the left develops.

How many federal units?

Federation into just two units – the NE (North-East) unit and what for want of a better name I will christen RSL (Rest of Sri Lanka) may be just the right approach. My preference for limiting the structure to just two units is as follows.

? Sri Lanka is small and it is meaningless to have a plethora of state laws, jurisdictions, administrative codes and guardians of public order – variety is inefficacious and wasteful.

? Having many legislative units, experience has shown, does not amount to greater devolution of power to the grass roots. On the contrary what it has meant, at least to some degree, is a profusion of opportunistic politicos, arranged in layers, fattening themselves at the expense of the public purse.

Provincial and District Councils and local government (municipal, town and village) entities will of course have a continuing role to play, but not as legislative assemblies of a federal structure. I see them essentially as administrative and functional units concerned with social and economic development tasks – that is organs of practical devolution assisting in the emergence of democratic self-administering local communities.

Although I have indicated my preference for the two-unit model it is agreed that this is a complex issue needing further discussion especially since measures to protect the identity of the Muslim community still remain ambiguous. I have also heard arguments suggesting that a two or more unit federal division of RSL will be conducive to economic and social development since the demographic and geographic specificity of different regions can thus be better dealt with, but I am not convinced. Such developmental and socio-economic devolutionary concerns pertain to provincial and district administrative divisions and not justify separate federal legislative and governing organs. Hence, I envisage that two provincial administrative organs in the NE and seven in RSL, as well as district

councils at the next lower level, will accomplish this below the federal level.

Separation of functions

The assignment of functions to the centre and the federal units will be a most vexed question. This is the point at which all the concerns itemised in the early part of this document in the section on Sovereignty and Nationality will surface. Safeguarding the integrity of the sovereign state, ensuring autonomy for the Tamils of the NE, protecting the identity of the Muslims and ensuring opportunity for the Up-Country Tamils, are the contending objectives between which balances have to be found.

The ISGA (Interim Self-Governing Administration) formula put forward by the LTTE in October 2003 is maximalist and is more concerned about the priviieges of the Tigers than the welfare of the Tamils, but it does have one merit. The document makes mention of a large number of imperative considerations that must be systematically worked through to achieve autonomy and sustained development in the NE federal unit. The following is my commentary on some of the matters that the ISGA proposals bring into focus or sharply into contention and on some other related matters.

(a) Law: In respect of what matters should the federal units legislate? What initial all island system of law should be allowed to prevail at the commencement? The answer to the second question seems inescapably the current laws of Sri Lanka. Even more than in the case of criminal law, in the case of corporate, company, commercial and labour, a mature system of law is essential if commerce, business and economic development are to flourish. Large investments are urgently needed in the NE and this cannot occur except within a secure legal and judicial framework. Federal-unit laws will, of course, be enacted over time and the framework will evolve and be modified - this is not disputed. The case of personal and family law is a separate issue.

(b) Interpretation of the constitution: What constitutional court will adjudicate in respect of legislation and/or actions whose constitutionality is challenged? This will have to be a sovereign national mandate in the final constitution, whatever is the arrangement in the interim period.

(c) Judiciary: What will be the national and federal judicial system? Who will appoint the judges to the various arms of the judiciary? How will the independence and freedom from intimidation of judges be guaranteed?

(d) Police powers: How many police forces will there be? Who will appoint senior personnel in each case? How will recruitment be done? How will freedom from political control and the abuse of power be ensured? In view of our long history of political interference in police activities and abuse of power by the force, the writing of a new constitution is an opportunity not to be missed to insert appropriate safeguards.

(e) Revenue: What taxes can the centre and the federal units levy? How will the main revenues (personal and corporate income taxes, customs duties and other revenues obviously garnered by the centre) be shared? Presumably parliament in the form of a national legislature will be supreme in respect of approving the appropriations bill (budget) and the federal assembly will similarly deal with unit revenues. There is a vast range of international experiences with different federal systems to draw from.

(f) Off-shore resources: How far out to sea will resources be deemed to be part of the federal unit's domain and beyond what point will territorial waters and resources deemed to be national assets? (Of course the concept of national sovereignty requires that immigration and emigration, customs and naval defence are vested exclusively with the centre).

(g) Language: Sinhalese and Tamil will be the official languages of Sri Lanka and of both federal units. Both languages shall enjoy parity of status. English shall be used as a link language and it will be promoted in education and encouraged so as to enhance opportunities for international discourse for everyone and improve competitiveness in international commerce.

(h) Religion: Sri Lanka should be a secular state both at the level of the centre and the federal units. No religion should have a special, privileged or foremost status. This certainly is my view and I hope the view advocated by the left.

(i) Freedom of movement: Freedom for all citizens of Sri Lanka to move without hindrance or question across federal unit borders must be guaranteed. The right of all citizens to buy land, seek employment or engage in commercial activities in all parts of the island must be written into the constitution.

(j) Others: There is a long list of other specific functions (land, education, transport, water, social services, and so on) written into the schedule of the 13th Amendment to the current Sri Lanka constitution. It is necessary to revisit this list and sort out a position on all of them item by item.

PRINCILE 3:

Human and Democratic Rights

Since the country is coming out of an ethnic civil war and since systematic and widespread violation of human rights was practised by both sides to the conflict for a long time, protection of human rights must be an important element in the new constitution. The mechanisms for such guarantees must include international supervision. Every single government of Sri Lanka, ever since independence, has systematically trampled on democratic rights, hence constitutional provisions against abuse of emergency powers, constraints on draconian legislation, fraudulent elections and checks on authoritarian executive actions must also take a prominent place in the constitution.

[Apart from pointing out that this is one of the fundamental principles that should underlie the preparation of a new constitution, I do not undertake a long discussion of the matter here for two connected reasons. First, there has been a huge amount of discussion of these issues in recent decades and I am sure readers will be familiar with much of it. Secondly, it is necessary to keep this document to a manageable length. I would, however, like to denote the principle headings; clauses on fundamental rights and human rights guarantees, structure of the legislature (proportional, Westminster or mixed), abolition of the executive presidency and terminating the crisis prone misallocation of power between president and government in the present

constitution, the need for a second chamber in a federal system, and ensuring the independence of the judiciary and the civil service].

PRINCIPLE 4:

Social and Economic Principles

This is a discussion document for left parties hence it may seem natural to incorporate programmatic considerations pertaining to social equity, socialist objectives and class power as a part of the guiding constitutional principles. It is of course well understood that socialism as such is not on the agenda for any small and underdeveloped country like Sri Lanka, or for that matter even for a large and developed country if in isolation. Socialism is only conceivable as a generalised world tendency incorporating the economically most advanced nations. However, let us leave this caveat to one side for the moment and return to it after the next paragraph.

There is a very special feature of constitution making in Sri Lanka at this conjuncture that needs to be emphasized. The intensive focus of the constitution making exercise that is now taking place is on issues such as ending an ethnic civil war, sovereignty, the peace processes, nationality and democratic and human rights. Concerns with social transformation, and class issues are, comparatively speaking, in the background. To use an older jargon that some of us still remember, we are dealing with some of the key issues of the bourgeois democratic revolution not the socialist revolution. One could contend that the aftermath of the civil war is a social revolution of sorts, but then one also needs to recognise that the cutting edge of these events has not been an uprising of the oppressed classes but an ethnic struggle.

Nevertheless, it can be correctly argued by marxists that no real solution to the tasks of the bourgeois democratic revolution can be advanced in economically backward countries unless the programme incorporates a transitional outlook to socialism. In that case, the real challenge the left faces is how and in what degree and manner to push forward social and economic concerns in drafting its submissions for a new federal constitution. The left needs to do so without becoming sectarian or isolating itself from the mainstream of public goodwill that now permeates the peace process. There is no doubt in my mind that the left has a key responsibility to place these issues before the whole people, if at least for educational purposes, because crisis will come thick and fast on the morrow. The challenge is to seamlessly integrate these contributions on socio-economic essentials into the primary concerns of communities perceived by all communities as purely democratic, ethnic and sovereignty issues at the present time.

The difference between the Indian and American constitutions is of interest. The American constitution is a bland document in respect of social issues. It defines the balances and distribution of power for an implicitly capitalist order and contains no significant reference to social equity. The Indian constitution on the other hand contains certain directive principles of state policy charging the holders of power (government and parliament) with crucial obligations in respect of national development, abolishing poverty and social equity. While the exact language of the Indian constitution may not serve Sri Lanka's needs the inclusion of directive principles in respect of social justice, economic development and equity would, from the perspective of the left, be most appropriate. It would also be of interest to give consideration to how responsibility should be apportioned between the central government and the federal units in discharging these obligations. Obviously this has much to do with the devolution power to and below the level of the federal unit and with revenue generation, collection and disbursement.

PRINCILE 5:

Freedom from Imperialism

The second fundamental concern that the new constitution must deal with is the international context. The world situation today is characterised by an aggressive neo-imperialist policy spearheaded by the United States. It is not necessary at this point in this document to enter into a detailed discussion of this matter. A summary of the key features of the global political landscape will suffice.

? A neo-conservative US administration hell bent on global strategic repositioning and a British government which is a complete stooge to this policy are in place and generally speaking there is a worldwide reluctance on the part of governments to face up to and oppose this challenge.

? A critical period has emerged for global capitalism marked by rapid

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swings between recession and growth and in the case of the US, enormous balance of payments and budget deficits and mountains of public and private debt. A decade of stagnation drags on in Japan and the German economy is at a crawl. Overall this is a period of great economic uncertainty and serious challenge to globalization and the WTO is facing a serious challenge. In part the aggressive strategic policy of the US is a response to a multiplicity of problems for global capitalism and indicates the need for tighter global control.

? Mounting resistance to imperialism by democratic and populist movements, including mass movements in the Western countries and radical anti-imperialist movements throughout the Islamic world is apparent. There is also some opposition from states such as North Korea and Iran and growing tension with China.

? There is an aggressive military onslaught by the US and its agents on the opponents of imperialist occupation in the Middle East and Afghanistan and a threat of similar intervention elsewhere. The early stages of what seem likely to become prolonged national liberation wars in Iraq and Afghanistan, the *intifada* in Palestine and political instability in Pakistan, Indonesia and the Philippines are evident.

A new constitution for Sri Lanka is now being shaped against the background of this world context. Foreign influences, some welcome and some not, are intervening in the internal dynamics of Sri Lanka, and the role of India, the determining foreign power, can swing in directions which are difficult to forecast with certainty. It is a matter of life and death importance for all the communities of Sri Lanka that the constitution should be boldly written to ensure freedom from imperialist machinations in the coming years. The sovereign will of the people must prevail over the alliances that the propertied classes will attempt to form with imperialism and global capital. The tendency of Presidents, Prime Ministers and governments to subvert national interests in response to imperialist pressures must be curbed. Appropriate clauses must be incorporated forbidding military pacts, ceding control of Trincomalee, economic subservience and other potential dangers.

The need for ensuring freedom from imperialism becomes especially important in the context of writing a new federal constitution since opportunities for imperialist manipulation may be sneaked in through the constitutional structure itself. No room should be left for such threats to develop in one or the other of the federal units and eventually subvert the whole nation to the will of global imperialism. In this respect the LTTE is no more trustworthy than the major Sinhalese parties.

OTHER ISSUES

Apart from the basic principles outlined above there will have to be a large number of specific issues of a less fundamental nature that need to receive our attention. I have drawn attention below to a few of them and am sure discussants will add many more.

Special Territories

There are certain special territories of Sri Lanka whose status needs to be given careful consideration - primary among these are the commercial hub of Colombo and Trincomalee harbour. Is Colombo to be declared a national territory? Trincomalee harbour, its close environs and access thereto are surely a national asset. In fact all international harbours and airports, whether passenger or cargo, will have to be zones under central administrative control and this goes for KKS harbour as well – a possible point for much discussion? Military encampments in all parts of the country will also be national territories but again there could be much discussion about their demarcation and location.

Integration of the military

Finally, there will have to be only one armed-force if there is to be a single sovereign republic. Any other arrangement, almost by definition, is a denial of sovereignty. There have been previous examples of successful integration of armies after a civil war. In Zimbabwe, after the Lancaster House agreement, three separate armies (two guerrilla type liberation forces and the Rhodesian regular force) were merged. Sections of the Tigers and the Sea Tigers will have to be combined in some way with the Sri Lanka forces and other sections turned into a regional police forces. Presumably these provisions will not belong to the constitution proper but to some forerunner agreements.

Interim administrative arrangements

Strictly speaking the interim administrative arrangements that are put in place for the period prior to the start-date of the new constitution do not belong to the topic of this paper. However there are contingent and substantive reasons why a few words need to be said here. The contingent reason is that the interim arrangements must be phased so as to flow naturally into final settlement. While, obviously, the final version cannot be known in advance when designing interim arrangements a degree of consistency is essential. And this is the motivation for a substantive comment. Some concept of the degree of autonomy envisaged in the final settlement must guide the formulation of the interim administration. There are many models of self-administrative autonomy within a sovereign sate stretching from the Hong Kong and Macau 'one-country two-systems' formula of the Peoples Republic of China, the defunct confederation version of Malaya and Singapore and just regular federalism. In my view the realistic option for our case is fairly regular federalism with substantial economic and cultural development autonomy as described in the body of this document.

The greatest challenges facing the interim arrangement is how to guarantee the democratic and human rights of the Tamil people and curb the excesses and abuses of power of the LTTE during this period. If this fails the interim fails and eventually no final settlement will flow therefrom. This is a separate issue, but it does not empty the importance of a discussion of constitutional perspectives as undertaken in this document.

(Courtesy of 'lines', February 2004)

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PEOPLE & POLITICS

● Murali's historic feat

Muttiah Muralitharan has been inundated with congratulatory messages for achieving the historic feat of becoming the highest wicket-taker in the world in Test Cricket. During the recent Test series with Zimbabwe, Murali broke the existing world record of 519 held by Courtney Walsh of the West Indies.

Joining the list of those who sent their "warmest greetings" "heartiest congratulations" to Murali are the President and Prime Minister of Sri Lanka, and even the leader of the Janatha Vimukthi Peramuna (JVP) Mr. Somawansa Amarasinghe. Probably recognising that very little has happened in the country about which Sri Lankans can be proud of, the Prime Minister, Mr Mahinda Rajapakse's message said, "Cricket is one factor which has brought honour and recognition to Sri Lanka. We consider your contribution most valuable."

The JVP leader in his message said, "The People's Liberation Front (JVP) joins the thousands and thousands of people to congratulate Muttiah Muralitharan who is recognized as our cricketer without any racial bias. While taking upon ourselves the responsibility of protecting him as a national heritage, we wish him success."

The editor of the Daily News was more lavish in his praise; "Well done Murali, and may you go from one colossal achievement in the department of bowling in Test cricket, to another. Perhaps, as your father was quoted saying, you may even go on to capture the coveted 1,000 wickets in Test cricket. More strength to your arm, Murali and may you continue to blaze a remarkable trail in the famed gentleman's game."

Among the variety of spinning deliveries in his bowling armoury Murali's "Doosra" delivery raised a raging controversy in international cricketing circles. But what is notable is that while accepting the verdict over this "Doosra" delivery, he has refrained from using it, but went on to achieve cricketing greatness, proving that "Doosra" or no "Doosra", he is the greatest spin bowler in cricket history, says the editor of the Daily News.

● New artificial heart valve

Dr. Rohan Jayasinghe, an interventional cardiologist of Sri Lankan origin based in New York, U.S., presented on 28 April what is said to be the world's first artificial mitral heart valve that can be delivered to and implanted in the heart through a catheter inserted through a blood vessel in the groin, thus precluding the need for open heart surgery in heart valve replacement, at Columbia University in New York, medical sources said.

Dr. Jayasinghe disclosed the details of his invention and its implantation to an audience of medical researchers and cardiac surgeons at Columbia University at a presentation chaired by Dr. Mehmet Oz, a renowned cardiac surgeon attached to the Department of Surgery at Columbia..

The initial testing of the new valve has been carried out with great success, the sources said, adding that at the next step, the valve will be tested on live animal models. A collaborative project with Columbia University is planned for the tests and to develop the valve model..

Dr. Oz said, "[Dr. Jayasinghe] presented his ideas. But we are hardly ready for humans. He approached us for studies in animals."

Mitral valve problems are very common around the world, with millions of sufferers. When the valve is at an advanced stage of dysfunction, the only treatment currently available is open-heart surgery for patients who can tolerate such an operation. If Dr. Jayasinghe's new method succeeds in becoming a viable surgical method, which could take a few years, patients with heart valve diseases could be treated with only a pinhole in the groin.

● What an example?

The Buddhist monks of the Jathika Hela Urumaya (JHU) entered the electoral fray promising to eradicate the cancer of bribery, corruption, deceit and violence from politics, but they themselves seem to have become past-masters at these qualities in double quick time.

According to a news report in the Colombo media, one JHU MP, Ven.Kathaluwe Rathanasara Thera, who voted with the Government during the election of the Speaker on April 22 was mercilessly beaten up dragged out of his temple and abducted by a gang of six monks at Rawathawatta, Moratuwa on 17 May.

According to police sources, Ven. Kathaluwe Rathanasara Thera while being assaulted by the gang of monks clad in yellow robes had been bundled into a chocolate coloured 'Caravan' vehicle which sped off into the night. He was reportedly taken to Ven. Kolonnawe Sumangala Thera, who allegedly held him captive, and forced him to sign his letter of resignation from Parliament.

The Ven. Kathaluwe Rathanasara Thera Thera is an incumbent at the Sambuddha Viharaya, Rawathawatta , Moratuwa.

However, the abducted monk, accompanied by JHU member Ven.

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Kolonnawe Sumangala Thera, turned up in parliament the following day and handed in his letter of resignation from his seat in parliament. It has also been reported that JHU General Secretary Ven. Uduwe Dhammaloka Thera and another JHU MP Ven. Omalpe Sobhitha Thera were both with the Speaker when the resignation letter was presented to the Secretary General of Parliament.

Many believed that the abducted monk had been forced to resign his seat by the strong-arm methods deployed against him. However, JHU leader Ven. Ellawala Medhanada Thera denied rumours that the JHU used strong arm tactics. "The dissident Thera must have realized the error committed by him in grouping up with an anti-national political party."

● Indian irritation

Monitoring the Tamil print media in Sri Lanka has become a preoccupation of those of the Indian High Commission in Colombo ever since the Tamil language dailies and weeklies have been indulging in "Delhi bashing" in recent years. One Indian diplomat was heard complaining that these newspapers publish news, views and articles reflecting the view that India is responsible for all the 'ills' faced by the Tamils. Now the Indian High Commissioner in Colombo, Nirupam Sen, has entered the fray in public blasting the Sri Lankan Tamil press for their criticism of India's Sri Lanka policy.

Speaking at a function in Colombo to gift a mobile library van to the Ramakrishna Mission at Point Pedro in Jaffna, the High Commissioner said that the Sri Lankan Tamil press has a habit of blaming India referring to every issue as wrong. "If there is dengue, India is responsible. If someone breaks his leg, India is responsible", he said. "India is too big a country to be deterred by such things. It is the land of Bhagat Singh and Swami Vievekananda," he said.

The High Commissioner said that India is willing to help the reconstruction and rehabilitation work in the war-torn North East firstly locating the Indian-aided projects in the government-controlled areas of the North East.

Indian aid had been given for the renovation of the North East as well as in the plantation areas, including a gift of a CT Scan worth 300,000 dollars to the Jaffna Teaching Hospital, he said.

● Judicial scandal

Scandal has hit the Sri Lankan judiciary with the suspension of a High Court judge by the Judicial Service Commission on suspicion of his connections with big-time drug traffickers. Colombo High Court Judge, Tissa Ekanayake, is reported to be facing disciplinary action over releasing of bail a drug trafficker who lived in a posh Colombo 7 mansion and possessed property estimated to the value of a stunning Rs. 500 million at the time of his arrest. Apart from land, buildings and other property he is also alleged to have possessed a huge amount of cash when he was arrested along with his wife and a driver. Reports also indicate that this particular Judge had been lenient towards those brought before him on charges of drug trafficking.

The JSC decided to suspend the Judge concerned having considered a news item broadcast over Sri Lanka Broadcasting Corporation (SLBC) on May 10, indicating that a High Court Judge was alleged to have joined drug trafficking and that the Judge had asked for permission to go on retirement.

The Judge is alleged to have released suspects involved in international drug trafficking on bail including a drug king-pin, a woman from Ward Place in Colomb, taken into custody with 25 kgs of heroin. It was alleged that she was released after having given a bribe of Rs 2.5 million. In another instance a suspect taken for the alleged possession of 11 kg of heroin had been bailed out after one year before the commencement of the trial. That was in 2001. The suspect had gone missing and is said to be operating from India now.

● A case police brutality

A disturbing case of a police officer allegedly forcing a tuberculosis patient to spit into the mouth of another detainee thereby causing the infection the latter with the same decease has come before the Sri Lanka Supreme Court in the form of fundamental rights application.

The victim, a recognised artist from Matugama by the name of K. Palitha Tissa Kumara, has since contracted TB. The three-judge bench, presided by Chief Justice Sarath N. Silva, ordered the named police officer to file his answer by May 24, 2004. The court also requested a senior state counsel representing the Attorney General's Department to look into the case urgently and help Kumara receive proper medical attention. The victim is in remand over another charge, which his lawyers claimed had been fabricated by Welipenna police in Galle.

Lawyers for Tissa Kumara have named as respondents Sub Inspector Silva of Welipenna police station, the station's officer-in-charge, the Inspector General of Police and the Attorney General.

Tissa Kumara, a 31-year-old father of two, alleges that he was subjected to "extreme forms of torture done by the first respondent which has resulted in serious injuries to him". In his petition to the Court, he says that he had suffered injuries after being hit about 80 times by a cricket pole (wicket). He was hit on the neck, on the back, on the shoulders, on the arms, on the ears, on the head, on the foot, on the ankle, on the knees, on the buttocks and on the edge of the spinal code. He was punched in the chest about 13 times, hand-cuffed to the iron rails of the police detention cell and the door was opened and closed many times, creating injuries to his right wrist.

The police officer also had got another detainee with tuberculosis to spit into Tissa Kumara's mouth. The petitioner was kept at the police station from February 3 to February 6, 2004. He was also kicked on the back.

SI Silva had then brought to the room a man named Sarath. Tissa Kumara had understood that this man was suffering from TB. SI Silva got the petitioner to open his mouth and got said Sarath to spit in to petitioner's mouth. SI Silva had told Tissa Kumara he was doing this in order to cause TB. "I will get you killed in two months," he had reportedly said.❑

The Indian Scene

● STUNNING POLITICAL SACRIFICE

There will be enormous sympathy and respect for Sonia Gandhi's decision to turn down the Prime Ministership of a country of one billion people after leading her party to a position of advantage that was least expected during the run-up to the 14th general election. After a precipitous decline over the past decade, the Congress has experienced a revival of fortunes under Ms. Gandhi's leadership, reflecting the effectiveness of clever new alliances she made in key States on top of a modest upsurge in popular support that she led from the front. The Congress upset all electoral calculations and poll predictions by emerging as the single largest party and the spearhead of the single largest pre-election formation in the new Lok Sabha. It was a hard-worked victory earned through a decent, issue-based campaign that refused to respond in kind to highly personalised attacks targeting, among other things, Ms. Gandhi's foreign origin and 'antecedents'. As the world watched, she was first elected leader of the Congress parliamentary party, which in effect meant Prime Minister-designate; was endorsed by the party's pre-election allies, by the Left and by other secular parties, who gave letters of support signifying a comfortable majority in a House of 543; then came up with her extraordinary act of political renunciation - and stuck to her decision in volatile circumstances.

There will be speculation about the considerations behind this development, but the following explanation will go some way. First, the Congress president has seized the high ground to make it plain, in her renunciation speech, that "the post of Prime Minister [has not been] my aim," but that her belated, conspicuously reluctant entry into national politics was to further a cause - "to defend the secular foundations of our nation and the poor of our country." With such a vision, she worked to revive the fortunes of her party, as a way of checking the advance of highly divisive communal politics. "Our foremost responsibility at this critical time," she explained, "is to provide India with a secular government that is strong and stable." After all, as she has pointed out in informal conversations and, more recently, in interviews, she could have been Prime Minister in 1991 had she wanted to, in the highly abnormal circumstances that followed her husband's assassination. Secondly, Ms. Gandhi has signalled in a subtle manner that, since her aim is to defend India's secular foundations by providing a stable, people-oriented government, she does not wish to be the cause of, or pretext for, confrontation and ugly chauvinistic politics. Thirdly, she has made a moral point (whether others buy it or not): "power in itself," raw power, "has never attracted me, nor has position been my goal." Finally and importantly, there are the personal considerations. In addition to Ms. Gandhi's personal goals and "inner voice," it is clear that her son and daughter firmly support her personal decision not to be Prime Minister, not the least because they fear for her safety and happiness.

Ms. Gandhi's stunning act of self-denial and political renunciation cannot be allowed to be seen as an endorsement of the vicious campaign that the Sushma Swarajs, the Uma Bhartis, the Govindacharyas and the rest in the *sangh parivar* have launched to block and subvert the electoral verdict. The likes of Ms. Swaraj centred their political campaign on Ms. Gandhi, her 'foreignness' and her presumed unfitness to be Prime Minister (although they had made no fuss, it must be recalled, in dealing with her as Leader of the Opposition). People did not buy the argument. In no democracy are losers in an election entitled to overrule the umpire on who won and who lost. As for narrow-minded interpretations of 'Indianness' and 'foreignness', Mahatma Gandhi anticipated the real issues while visualising the Constitution of India as something based on universal values applied to the particular conditions of India. As early as 1931, he promised to strive for a Constitution that would "release India from all thraldom and patronage" but made it clear that "all interests not in conflict with the interests of the dumb millions will be scrupulously respected whether foreign or indigenous," and that per-

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sonally speaking he hated "the distinction between foreign and indigenous." Having made her point, the Italian-born Congress president who could have been Prime Minister by Wednesday has grown enormously in political and moral stature. The new coalition government that will be led by Manmohan Singh has the opportunity to build on this advantage and get off to a fine start. *(The Hindu, 19 May 2004)*

● POWER OF DEMOCRACY

The Tamil Nadu Chief Minister, Jayalalithaa, appears to have drawn the right lessons from the rout of her party, the All India Anna Dravida Munnetra Kazhagam, in the just-concluded Lok Sabha election. Within a week of the declaration of the election results, Ms. Jayalalithaa has announced the withdrawal of most of the controversial policies and actions that had been the focus of the campaign of Opposition parties. To her credit, the Chief Minister responded positively to the powerful message conveyed by the voters against the unpopular measures adopted by the AIADMK Government in the last three years. In one stroke, she removed the income ceiling for those entitled to get essential commodities under the Public Distribution System, restored free power supply to farmers and hut dwellers, revoked punishment imposed on Government employees who had gone on strike, and extended the free bus pass scheme to all students. Ms. Jayalalithaa also announced that the Government would immediately withdraw the large number of defamation cases filed against newspapers and take steps to drop the privilege proceedings in the Tamil Nadu Legislative Assembly against *The Hindu* and *Murasoli*. She also promised repeal of the Act against forcible religious conversions, which had provoked widespread protests from minorities and other sections of society who saw in the enactment a threat to the fundamental right to practise and propagate religion.

The hope is that the withdrawal of the defamation cases and the steps to drop privilege proceedings will be followed up by efforts to restore normal, healthy professional relations between the Government and the media. Defamation cases, and also privilege proceedings, have often become tools to intimidate the media in the hands of the intolerant; they have a chilling effect on free expression and criticism. The decision to repeal the Act on conversions is of even greater political significance with Ms. Jayalalithaa using the opportunity to present her Government as a "true friend and champion of minorities." The withdrawal of cases filed against Government employees and political leaders under the Tamil Nadu Essential Services Maintenance Act will be widely welcomed but the Act itself is seen as undemocratic and violative of existing labour laws. Government employees and trade unions will see justice done only if the Act is repealed. Ms. Jayalalithaa has chosen to remain silent on cases filed under the Prevention of Terrorism Act. The cases against Vaiko and eight other MDMK members must be smoothly withdrawn. Will it be too much to hope that in keeping with the spirit of the rollbacks, Chief Minister Jayalalithaa will abjure the application of POTA in the State? If she does this, Tamil Nadu will set a trend for the rest of India to follow. In any case, the new Government at the Centre is expected to take early steps to have the discredited anti-terrorism law repealed by Parliament.

After initially seeking to deny that the election results were a reflection on the performance of her Government, Ms. Jayalalithaa has done the right thing by addressing the concerns of various sections of the people that found their clearest expression through the Electronic Voting Machines in the May 10 election. Although she has not attributed the wide ranging rollbacks to the poll outcome, the turnaround should be celebrated as yet another demonstration of the power of the ballot box, the power of democracy. *(The Hindu, 19 May 2004)*

● THE TAMIL NADU VERDICT

The total rout of the All India Anna Dravida Munnetra Kazhagam and the Bharatiya Janata Party in Tamil Nadu can be easily explained by the electoral arithmetic that favoured the seven-party Democratic Progressive Alliance led by the Dravida Munnetra Kazhagam. However, the huge margins of victory of the DPA candidates in traditional AIADMK strongholds in the western and southern parts of the State point to a strong undercurrent of resentment against the ruling party. Nine DPA candidates won by margins of over two lakh votes. All but three of the other DPA candidates won by margins of over one lakh votes. By contrast, the BJP candidate in Chidambaram finished third. The very formation of the DPA, which comprised parties that were in different alliances until recently, was no doubt helped by the popular sentiment against the AIADMK Government. No major party wanted to be seen on the same side as the AIADMK. Indeed, the Congress and the Left parties had broken away from the AIADMK-led front long before they cemented the alliance with the DMK. Although the Chief Minister, Jayalalithaa, has argued that the drubbing her party received was no reflection on the performance of her Government, there is no denying that the DPA had brought regional issues into sharp focus during the campaign. Mismanagement of the drought situation, dismissal of State Government employees, misuse of the Prevention of Terrorism Act, arrest of political rivals, the rise in the prices of essential commodities and the tariffs of services, and attacks on the freedom of the press — these issues have agitated the voters of Tamil Nadu as much as the performance of the BJP-led National Democratic Alliance Government at the Centre.

The Tamil Nadu verdict is also indicative of the people's disenchantment with the totally negative campaign carried out by Ms. Jayalalithaa during the two-month electioneering period. With the "foreign origin" of the Congress president, Sonia Gandhi, as her focus, Ms. Jayalalithaa indulged in personalised attacks against all DPA leaders. No ruling party could have hoped to get much purchase from such a negative campaign. Actually, the Congress, which was the prime target, performed better than its allies in the current election, obtaining 59.22 per cent of the total votes polled in the constituencies where it fielded candidates. This was better than the 58.24 per cent polled by the DMK, the biggest partner in the alliance.

Although it would be too much to expect Ms. Jayalalithaa to step down owning moral responsibility for her party's debacle, as demanded by several Opposition leaders, she would do well to take corrective measures in the light of the verdict in the Lok Sabha election. After three years in power, Ms. Jayalalithaa cannot afford to attribute the shortcomings of her administration to "mismanagement" by the previous DMK Government. An honest self-appraisal would reveal failures on several fronts, not least in consensus-building on crucial issues involving inter-State disputes such as the Cauvery and the Periyar dam. It would be interesting to watch the AIADMK regime's attitude to a Congress-led dispensation at the Centre. During her first term as Chief Minister from 1991 to 1996, Ms. Jayalalithaa adopted a hostile attitude to the Narasimha Rao Government, though the Congress was an ally of the AIADMK. But on returning to power in 2001, she switched to a non-confrontationist mode, though the BJP was not an ally at the time. It remains to be seen whether she will accord the same importance to enhancing Centre-State relations, which in India have been marred by political considerations. In any case, a change of ways will certainly be in order for Ms. Jayalalithaa, not only in governance, but also in her conduct towards both rivals and allies. *(The Hindu, 15 May 2004)*

● VAIKO'S SAGA

The wheels of justice may grind slowly, but grind they do. There may be some way to go before Vaiko, the Marumalarchi Dravida Munnetra Kazhagam leader, is freed from the case slapped on him under the Prevention of Terrorism Act. But in his long and courageous quest to absolve himself — a period that saw him spend 19 months in jail and have his passport impounded — Mr. Vaiko seems to be on the home stretch. The Supreme Court has stayed his trial, as well as that of eight other MDMK partymen, in the special POTA court. The Tamil Nadu Government has been legally obliged, following the Madras High Court's recent ruling, to instruct the public prosecutor to withdraw the cases against them. The High Court held that the Central POTA Review Committee's April 2004 order holding that the cases against the nine persons had no leg to stand on and must therefore be withdrawn "was binding on the Tamil Nadu Government." It also declined the State Government's plea to quash the order of the Review Committee.

Does the Tamil Nadu Government's instruction to the public prosecutor mean the cases are, in effect, withdrawn? Not quite. In an earlier ruling the Madras High Court held that even after such an instruction was issued, it was up to the public prosecutor "to apply his mind independently" and it was eventually for the trial court to decide whether the plea for withdrawal was acceptable or not. This circuitous and problematical ruling, which has been upheld by the Supreme Court, was based, first, on the ground that the independence of the public prosecutor (supposed to be secured by Article 321 of the Code of Criminal Procedure) must be safeguarded. The problem with this reasoning is that in politically sensitive cases the independence of the public or special prosecutor is a myth, as the Supreme Court discovered before ordering the transfer of the Jayalalithaa wealth cases and the Best Bakery Case to another State. The other issue involved in the Madras High Court's ruling was the perceived need to insulate an ongoing case in a judicial forum from the direct influence of executive or quasi-judicial authorities. It remains to be seen how Tamil Nadu's public prosecutor, who only recently adopted the strident position that there was "no question of withdrawing the case," reacts to the official withdrawal instruction. Another issue relates to the current status of the June 30 deadline set by the Madras High Court for the completion of the trial. All democrats must hope these questions have become academic after the Supreme Court issued an interim stay on the trial of Vaiko and the eight others in the special court.

The legal ground beneath the Tamil Nadu Government's infamous case against Mr. Vaiko collapsed when the Supreme Court held that POTA could not be used against those who merely expressed sympathy or verbal support for proscribed terrorist organisations. Accepting the contentions of Attorney General Soli Sorabjee, the Court held that POTA's Section 21 was attracted only in cases where there existed a criminal intention to further terrorist activity. The cases against Mr. Vaiko and his eight colleagues were built entirely around certain general speeches they made in support of the Liberation Tigers of Tamil Eelam and the Eelam demand. There was not a quark of evidence to link them to any terrorist activity. The Vaiko case is a shocking illustration of how the 'rule of law' has been — and can continue to be — misused to settle political scores in 'Shining India'. It is emblematic of the inherent danger and mischief of POTA and a compelling argument for sending it to the dustbin of history. *(The Hindu, 10 May 2004)* ❑

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NEWS TRACK

Revival rural bank system in northeast: April 17 - The Asian Development Bank (ADB)-funded North East Community Organization for Restoration and Development (NECORD) has formulated a scheme at a cost 10.4 million rupees in collaboration with North East Provincial Department of Co-operatives to strengthen the co-operative rural banks in the war-torn province, thus reviving the rural economy devastated in the two-decade-old war, sources said.

Under the scheme, NECORD is to assist 99 co-operative rural banks in the northeast province to strengthen their capacity and to provide credit and advance facilities in their respective areas on par with other commercial banks.

40 child soldiers released to UNICEF: April 17 – Following a list being submitted to the LTTE by the UNICEF, 40 teen-aged cadres of the LTTE were released to UNICEF at the LTTE political office in Sampoor, Trincomalee today, UNICEF officials said. Among the released were 31 girls and 9 boys. The UNICEF officials took the released LTTE under-aged cadres in a bus to an unannounced destination from where they would be handed over to their parents, UNICEF officials said.

Ms.Gabarilla Elroy, representative of UNICEF for Trincomalee, Patrik Haulden, the representative of the ICRC for Trincomalee, participated in the meeting with LTTE officials.

Mystery over missing monk MPs: April 21 - Mystery surrounded over two missing Jathika Hela Urumaya (JHU) parliamentarians. Two JHU parliamentarians, Venerable Kataluwe Ratanasiya Thera from Colombo district and Venerable Aparekke Pangnanadana Thera from Gampaha district went missing amid rumours that they had been abducted and confined in secret to influence them as to how they should vote in the election of the Speaker of Parliament.

The Secretary General of the parliament, Ms. Priyani Wijesekara, 19 April received the resignation letters of these two parliamentarians. However these parliamentarians had later reportedly met with parliamentary officials and informed them that they were not resigning.

The JHU's Propaganda Secretary, Venerable Uduwe Dhammaloka Thera, has alleged that the two Bhikku parliamentarians had gone missing and JHU believed some political party, "probably the UPFA," was hiding them for political motives.

Youth attacked in Vavuniya: April 22 - Rajendrakumar (26), a resident of Marambaikulam in Vavuniya district, was severely beaten by unknown assailants at his home on 21 April according to sources in Vavuniya. He was admitted to the Anuradhapura hospital and received treatment for his injuries. Rajendrakumar has long been suspected as an informant to the Sri Lanka Army (SLA), and police sources have alleged that the LTTE was behind the attack on Rajendrakumar.

TNA MP's office set on fire: April 23 - The Karaitivu office of the Amparai district Tamil National Alliance parliamentarian, Mr. M. Pathmanatahn, was set on fire by unidentified persons on the night 21 April. All documents and equipment in the office were completely destroyed, according to sources close to the MP. Mr. Kanagasabai Sathaharan, the brother of the MP, said that he received a telephone call at 10:30 p.m. on the day of the incident that the office was being set on fire, and when he rushed to the office, he found the public trying to put out the fire. A complaint has been lodged at the Sammanthurai station of Sri Lanka Police and the police are said to have already started investigations.

President's request to Norway: April 23 - Sri Lanka's President Chandrika Kumaratunga phoned Norwegian Prime Minister Kjell Magne Bondevik on 22 April and requested Norway to resume its role as a third party facilitator in the peace process between the government of Sri Lanka and LTTE, said a press release issued by the Norwegian Prime Ministers Office in Oslo. Norway, however, said it would resume its role as facilitator if the LTTE also made a similar request to Oslo.

Norway said it was temporarily pulling out from Sri Lanka's peace process in November last year. after President Kumaratunga took over the ministry of defence from former Prime Minister Ranil Wickremesinghe's government.

"I told her that Norway would be prepared to facilitate if the LTTE also makes a similar request to us to play the same role, said Bondevik" according to the Norwegian press release. "When we receive a request from both the parties to continue our role, we would consult with the parties on how to take forward the process, said Mr. Kjell Magne Bondevik", according to the press release.

President betrayed Karuna – JHU: April 23 – The JHU leadership has explained as to why its monk MPs did not support the UPFA candidate during the election for the Speaker of the Parliament. At a press conference held in Colombo on 22 April, the leader of the JHU said that the main cause for not supporting the government candidate was that the President had failed to support the LTTE's renegade eastern military commander, Col. Karuna, in his rebellion against Mr Pirapaharan and the Vanni leadership of the LTTE. It was the betrayal of Karuna by the President that forced the JHU parliamentarians to decide against supporting her government, said Ven. Ellawala Medhananda Thero, Leader of the JHU. He added that by failing to support Karuna, the President had succeeded in strengthening the hands of the LTTE's Wanni leader Vellupillai Prabhakaran.

UPFA accuses JHU: April 23 - The leaders of Sri Lanka Freedom Party (SLFP) and Janatha Vimukthi Peramuna (JVP), the main constituents of the ruling United People's Freedom Alliance (UPFA), jointly addressing a press conference, said that the "true image and character" of the Jathika Hela Urumaya (JHU) had been revealed in parliament when its two parliamentarians voted in the Speaker's election with the main opposition United National Front, thereby "joining hands" with the Tamil National Alliance (TNA).

The SLFP General Secretary, Mr.Maithiripala Sirisena, said he was surprised that JHU parliamentarians joined hands with a political party that wanted to create a separate state in the country. "The JHU leadership had earlier told the President and Prime Minister that it would never vote with the TNA and also they publicly stated that they would not obstruct the UPFA activities in parliament," stressed Mr.Sirisena.

JVP Propaganda Secretary and parliamentarian, Mr.Wimal Weerawanse, said "the JHU, which accuses the UPFA government for not supporting the Karuna faction in the clash with LTTE leader, Mr.Pirapaharan, had cast their votes with the TNA, which gets advice from the LTTE leader."

Mr.Weerawanse revealed what he said was the discussion the UPFA leaders had with the JHU leadership before the Speaker's election. "Initially JHU leaders said according to their calculation the UNP would win in the Speaker's election and they would be neutral in the contest. This proved that the JHU was supporting the UNF to get the Speaker post," said Mr.Weerawanse.

Youth arrested with grenade: April 24 - A youth carrying a hand grenade and live ammunition in a fertilizer bag was arrested on 22 April by Sri Lanka Army and Police personnel in Main Road at Mavadivembu, about 22 km northwest of Baticaloa town, according to police sources.

The youth, Mr. Parasuraman Navaratnam of Kalikovil road in Mavadivembu, was carrying 180 T-56 ammunition and 6 T-56 magazines, sources said, adding that according to the police, the youth had found the ammunition at the LTTE camp in Kudumbimalai (Thoppigala) when it was abandoned by the fleeing Karuna group renegades.

The Eravur police produced the youth before the Batticaloa Magistrate, Mr. M.H.M. Ajmeer, on charges of carrying dangerous and prohibited ordnance, and submitted the ammunition the youth was carrying.

UPFA wins NWPC election: April 26 - The United People's Freedom Alliance (UPFA) won the provincial elections held 24 April for the North West Provincial Council. According to the Elections Department, the UPFA obtained 59.10% of the votes cast, winning 31 seats, and the United National Party (UNP) won 19 seats, obtaining 37.53% of the votes.

The 31 seats of the UPFA include two bonus seats. The People's Alliance, which was transformed into UPFA through an alliance with the Janatha Vimukthi Peramuna (JVP) before the General Election, thus continues to control the NWPC.

The Puttalam and Kurunagala districts come under the NWPC. The Sri Lanka Muslim Congress (SLMC), which is a partner of the UNP in the United National Front (UNF), contested the NWPC elections separately and won 2 seats. The turnout was said to be low, with less than 50% of the eligible voters casting their votes.

Seven Tigers killed in Batticaloa: April 26 - Seven Liberation Tigers were killed by an unidentified armed group in Batticaloa 25 April night around 11.30 p.m. Four of the murdered LTTE cadres were invalids. They were killed at Ponnaankaanichenai, about 1.5 kilometres from the Sri Lanka army's point northwest of Batticaloa town. Mr. E. Kousalyan, the head of the LTTE's political division in Batticaloa told truce monitors from the eastern town that the group that killed the seven Tiger cadres had come from the direction of the Sri Lanka army camp in Vavunathivu.

The Vavunathivu SLA camp is located on the western shore of the Batticaloa lagoon. It is about 4 kilometres northwest of the Batticaloa town.

"The murder of our disabled cadres is clearly the work of criminal elements that are working with the Sri Lanka army. I have requested the SLMM to arrange an early meeting with the SLA to discuss this matter. I hope this would be the last incident of this sort. No one could have gone in a van with arms at midnight in the direction of Vavunathivu without the SLA's knowledge. There are no jungles in these parts to hide a van and armed men", said Mr. Kousalyan, head of the political division of the Liberation Tigers for the Batticaloa-Amparai district.

The armed group which came in a van around 11.30 p.m. Sunday night shot dead three sentries at the LTTE's check point on the Vavunathivu – Aayithiyamalai Road, about 1.5 kilometres from the Sri Lanka army's forward point near the Vavunathivu DS office. Then they proceeded about five kilometres on the road to Mullaamunai where the LTTE's finance division in Batticaloa maintains a general store. There were four disabled LTTE cadres and two civilian guards at the store. One of the LTTE cadres was paralysed below his neck, the other had lost both eyes, the third had both legs blown off in a land mine and the fourth had lost a leg in the war.

The assailants opened fire at random as they alighted from their vehicle, according to the guards. The two old men ran away and hid in the adjacent shrub. The gang then shot dead at point blank range the four disabled LTTE cadres. The gang also damaged vehicles and motorbikes in the store before they fled the area. The guards said they saw the van speeding down the road in the direction of the Vavunathivu SLA camp after the attack. Members of the Sri Lanka Monitoring Mission in Batticaloa visited the store Monday afternoon.

Military sources rejected the LTTE's accusations of the army's involvement in the incident as baseless.

Tamil youth killed in explosion: April 26 - Mr. Kanagasabai Thurairajasingham was killed in an explosion early morning at about 3 a.m. on 26 April at Polathapitiya near Kurunagala town in the northwestern province. He was later identified as a member of the Karuna group of the LTTE, according to police sources.

Police preliminary investigation has revealed that including the deceased three persons were handling an object resembling a claymore mine at the time of incident. Suddenly that object exploded killing Mr. Thurairajasingham on the spot. But the other two fled from the scene, police said.

Monk's party accuses JVP: April 26 - Jathika Hela Urumaya (JHU), has charged that the Janatha Vimukthi Peramuna (JVP), which is a constituent of the governing was planning to eliminate its leaders. Ven. Uduwe Dhammaloka Thero, General Secretary of the JHU, told a press conference at the party's headquarters in Colombo that leading monks of his party had received death threats again. Meanwhile thousands of posters lambasting the JHU monks appeared in Colombo during the weekend. One poster accused the JHU monks of ganging up with the LTTE controlled Tamil National Alliance to defeat the government during the lection of the Speaker. Other posters poked fun at the JHU and called it 'Hela Karumaya' ('Curse of the Hela')

Supporters of the JHU were attacked by thugs in Kesbawa on April 24th night. Two of them were admitted to hospital with injuries. The vehicle in which the JHU supporters were travelling was damaged by the mob. JHU Gen. Secretary alleged that his party supporters identified persons in the Kesbawa gang as members of the JVP.

He charged that the JVP is carrying out a three-stage plan to eliminate the JHU. "The first stage is character assassination. The second is physical intimidation and in the third they would eliminate us. They have succeeded in implementing the first and second stages. Now they are getting ready to eliminate us", the JHU Gen. Secretary alleged.

Development projects launched: April 26 - Foundation stones were laid on April 26th morning for the construction of a preschool and a multi purpose hall in the resettled Kanniya village, located on the Trincomalee- Anuradhapura road about 8 km north of Trincomalee town. The Asian Development Bank(ADB) funded North East Community Organization for Restoration Development (NECORD) under the Community Rehabilitation Development Project (CRDP) has allocated a sum of 6.8 million rupees for these development works, and the implementing agency is the Tamil Rehabilitation Organization (TRO) of Trincomalee district.

After two-decade-old war, internally displaced families of Kanniya village, which is located near the historic hot wells, are returning to their lands. Till now about twenty families have returned to the village. The TRO of Trincomalee district through the Rural Development Committee has identified the urgent needs of the resettlers. Kanniya is the first village undertaken by the NECORD under its CRDP. NECORD has provided funds for the construction of new wells and for repairing the damaged wells and for the construction of about ten rural roads. NECORD has also allocated money for the income generation activities.

Ministerial dispute resolved: April 27 - The politburo of the Janatha Vimukthi Peramuna (JVP), one of the major constituents of the ruling United Peoples' Freedom Alliance (UPFA), decided to accept one of the two proposals submitted by President, Ms. Chandrika Kumaratunge, and to bring the three week old dispute over ministerial and deputy ministerial posts to an end, political sources said.

During the three-hour discussion held by Ms. Kumaratunge with the leaders of the JVP, she submitted two alternative proposals to resolve the crisis within the UPFA. One of the proposals was to bring the Mahaveli Development subject under a minister of the Sri Lanka Freedom Party (SLFP), another major constituent of the ruling UPFA. The second proposal was to entrust the designated JVP minister of agriculture with all power to conduct agricultural activities in the Mahaveli area with a newly established statutory authority in charge.

The JVP politburo went into the details of the two proposals and finally decided to accept the second proposal to set up an authority for the administration for the agricultural activities under Mahaveli development. The authority will function under the JVP minister designate for agriculture.

Following this decision, the JVP politburo decided to accept the designated four cabinet rank ministerial posts and four deputy minister posts granted to it by the UPFA.

Karun's men shot dead: April 27 - Unidentified gunmen shot dead a youth and wounded another in Maligawatte, a congested suburb near Colombo, on April 26 around 10 p.m. according police sources. The two victims, according to them are from Eravur, Batticaloa in eastern Sri Lanka. The gunmen who shot the youth while they were negotiating an apartment for rent in Maligawatte

got away. No arrests have been made in connection with the killing.

The wounded youth, identified only as 'Mathanarooban' was admitted to the Colombo general hospital. He has been placed under heavy guard fearing that the gunmen might return to 'finish him off', the police said. The youth who was shot dead has not been identified.

Both victims are suspected to have been members of the Karuna faction of the LTTE and had gone to Colombo evade being targeted by the LTTE. The police suspect that the attack was carried out by the 'pistol group' of the LTTE which had detected their presence in Colombo.

LTTE accuses army of complicity: April 27 - Head of the Political Wing of the LTTE, S.P.Thamilchelvan, in a letter to the Head of Sri Lanka Monitoring Mission (SLMM), Major General (retd.) Trond Furuhovde, said that the murder of seven LTTE cadres including four disabled on 25 April was a violation of the Cease Fire Agreement (CFA) and that the LTTE had "credible evidence that the attackers came from the Vavunathivu SLA [Sri Lanka Army] camp direction."

Mr Thamilchelvan said in his letter, "Please be advised that we consider this incident wherein seven LTTE cadres including 4 disabled members have been killed with scant respect both to humanitarian norms and the CFA as one that merits immediate inquiry and remedial action. We have credible evidence that the attackers came from the Vavunathivu SLA camp direction and escaped after attack in the same direction. The distance from the SLA point and our FDL is only 500 m and therefore the logical conclusion is that the attackers could not have passed through the SLA point without being noticed.

"We are afraid that putting aside this incident as one carried out by elements closer to Karuna may be too simplistic. Making use of the Karuna factor, any Para-military groups working alongside the SLA, whether with the blessing of the SLA or other wise, may continue to act in this manner and create havoc and confusion.

"We request of you therefore to take this matter for an in-depth discussion and ensure that no such violation takes place in the future. This gains more significance in view of our commitment to the peace process and the necessity to uphold the integrity of the CFA in the present political context."

13 remanded for torching EPDP office: April 27 - The Kayts Magistrate, Mr.A.Premshankar, ordered remand for thirteen suspects who were produced by the police in connection with the alleged burning down of a office/camp of the Eelam Peoples Democratic Party (EPDP) in Analaitivu of northern Jaffna following the April 2 general election.

A posse of police personnel of the Kayts Police went to Analaitivu on the previous day and arrested thirteen civilians from their houses in a cordon and search operation.. The Magistrate ordered remand for the 13 suspects till May 10th in the Jaffna prisons. Analaitivu is an islet cut off from the Jaffna mainland and other islets in the peninsula by sea.

"Sinhalese leadership lacks maturity": April 27 - "The late Tamil leader, Mr.S.J.V.Chelvanayakam, laid the path for the freedom struggle, advocating Tamils should be recognized as a distinct nationality with their traditional homeland and right of self determination," said the Tamil National Alliance parliamentary group leader, Mr.R.Sampanthan, addressing a meeting to mark the 27th death anniversary of the late Tamil leader in Trincomalee town on 26 April..

In his speech, Mr.Sampanthan said that Mr. Chelvanayakam made the Thamileelam declaration in the 1976 Vaddukoddai convention, after having failed to find a political solution through talks with Sinhala political leadership of the country over several years. "Mr. Chelvanayakam opposed the division of the country at that time and wanted a political solution to the Tamil national question under a federal concept. However, Thanthai Chelva was disillusioned with the policy of the Sinhala political leadership, as it did not take seriously the demands of the Tamil people of this country," Mr.Sampanthan added.

Thanthai Chelva had said that the Sinhalese political leadership lacked maturity and responsibility. In the debate on Indian Citizenship Act brought by the then Prime Minister Mr.D.S.Senanayake, Mr. Chelvanayakam made a speech analyzing the true intention of the Sinhalese leadership. Thanthai Chelva had said actions and thinking of the majority community leaders, far from uniting people, would lead to the division of the country, Mr.Sampanthan pointed out. "Sinhala political leaders should come forward to find a political solution to the Tamil national question through negotiation. We would be forced to think of regaining our lost sovereignty if the Sinhala political leadership did not come forward to find a settlement through talks," Mr.Sampanthan stressd.

BRAVA mission in Jaffna: April 28 - Mr.Jeffry J.Lunstead, US Ambassador to Sri Lanka, inaugurated the US military humanitarian medical mission in Jaffna teaching hospital. "We are able to visit Jaffna because of peace in this country. US government will continue to support the peace process in Sri Lanka," Mr.Jeffry Lunstead said at the inaugural event held on 28 April. The Medical Superintendent of the Jaffna teaching hospital Dr.S.Sathurmugam presided over the event.

Mr. Lunstead further said,"the work of the BRAVA team is emblematic of the friendship between the peoples of Sri Lanka and America. By sharing their expertise and experience in humanitarian assistance BRAVA mission personnel are providing life-changing medical assistance to many people in Jaffna,"

A team of 20 US military medical specialists is conducting a humanitarian surgical training mission known as Blast, Resuscitation and Victim Assistance (BRAVA). American medical personnel from the US Air Force, Army and Navy are working with Sri Lankan physicians at the Jaffna teaching hospital to provide surgery and medical care for patients suffering from injuries and trauma by unexploded ordnance, including land mines, said the press release of the US Embassy in Colombo.

The team of medical personnel included orthopedic, pediatric and plastic surgery specialists from Korea and Hawaii. In addition to providing care to patients suffering from landmine injuries the team is also treating accident victims and patients with birth defects. The medical specialists hope to perform several major operations a day on patients selected by the BRAVA team. The program, which begins early this week, will include medical education and hands on training and care for hospital patients. In addition several pallets of medical supplies have been donated to the Jaffna teaching hospital for the humanitarian medical mission, said the press release.

Indian fishermen are robbing fisheries in NE: April 28 - "Only when we have self-government will we be able to safeguard our fisheries resources and the lives of our fishermen," said Dr. A. Soosai Ananthan, the Head of the Fisheries Department at the University of Jaffna, speaking at a seminar on the problems faced

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by fisheries workers, held at the Urumpirai Hindu College in Jaffna., according to the Jaffna-based Tamil language daily, Uthayan.

He further said that fishing was second only to agriculture in the contribution to the economy of the North-East. Prior to 1983, the North-East was the region with the highest profits from fishing in Sri Lanka, with an annual catch of 48 metric tons. The region is home to prawns, crabs and shell fish that brought a large amount of foreign currency to the economy.

With the start of the war in 1983 and the introduction of the ban on fishing gear, High Security Zones, the security pass system, etc., and the displacement caused by war, the fisheries economy in the North-East went into nose-dive. Today the biggest problem is the poaching by Indian fishermen, according to Dr. Soosai Ananthan.

Nearly 3000 Indian trawlers are entering the North-East seas illegally and robbing the fisheries resources of the region. Moreover, the use of heavy trawlers creates the danger of destroying undersea rocks, plants, etc., thus destroying the fisheries resources, he said. "The intruding Indian fishermen in trawlers destroy large nets and other fishing gear used by local fishermen. During the ceasefire period, such aggression has been more pronounced," said Dr. Soosai Ananthan, adding, "the Sri Lanka Navy is adopting a soft stand against the Indian poachers for political reasons. This situation should be changed."

Curfew in hill town: April 29 - Three upcountry Tamils were killed and four were wounded when Police opened fire on crowds in Kandapola, 16 kilomtres from Nuwara Eliya, Sri Lanka's main hill country town and holiday resort, on April 28 night. Curfew was declared in the area following clashes between Tamils and Sinhalese which flared up late afternoon over a vehicle accident in Kandapola. A senior Tamil MP of the Ceylon Workers' Congress slammed the Police for precipitating the communal violence. "The Police acted in a very partial manner", he said. Fourteen Tamil shops in Kandapola were smashed up and ransacked.

Four shops, a bar and a Petrol station belonging to Sinhalese were damaged by Tamils in retaliation. Prime Minister Mahinda Rajapaksha visited the area on the following day and called for calm. Workers in and around the Kandapola area went on strike in protest against the Police action.

LTTE seeks Govt stand on talks: April 29 - Mr. S. P Thamilchelvan, the head of the LTTE' political division, said today that the Tigers would state their stand on for resuming the island's stalled peace process only after Norwegians peace facilitators first find out and apprise them of Colombo's position regarding the basis for restarting negotiations. He was speaking to the local press after meeting head of Sri Lanka's truce monitoring mission, Maj. Gen. (ret) Trond Furuhovde in Kilinochchi.

Asked about his discussions with Maj. Gen. Furuhovde, Mr. Thamilchelvan said: "Importantly, we discussed the implementation of the cease fire agreement after the change in government. We have to do it in new circumstances. We found out from him about the government's position (regarding the implementation of the CFA). We told him about our leadership's concern regarding certain incidents that have happened recently.

Asked on what basis the LTTE would restart talks, he said: "It is not appropriate for me to speak on this matter at this juncture. A Norwegian team is scheduled to meet us soon. We can state our position clearly only after the Norwegians meet the Sri Lankan government and apprise us of its (Colombo's) real stand (regarding the resumption of peace talks)"

"We have expressed our displeasure over the attack in Batticaloa. The attackers came from an area controlled by the Sri Lankan military. It could not have happened without knowledge of army. It has to be carefully investigated and the truth has to be brought out. This incident would certainly disturb the ceasefire. We have expressed our strong objection to the government through the SLMM", Mr. Thamilchelvan said.

De-mining workshop in Jaffna: April 30 – "De-mining work in the northeast province has been severely hampered as the international aid agencies show reluctance to provide funds for such work due to the failure to sign the Ottawa convention that prohibits the use of landmines and other related explosives by the Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE)," said a Director of the National Peace Council (NPC), Mr.S. Balakrishnan, addressing a de-mining workshop in Jaffna on 30 April..

The workshop was organized by the NPC in collaboration with the de-mining groups of Norway and Britain. Several representatives of de-mining groups working in the northeast participated in the workshop, held in the office of the Jaffna District Chamber of Commerce. The main objective of the workshop was to ensure the de-mining to go forward simultaneously with the peace process and to provide landmine free areas for the internally displaced to resettle, NPC sources said.

Mr. Balakrishnan further said another objective of the workshop was to create awareness among the people of the danger of landmines and to strengthen and co-ordinate the activities between various de-mining groups that were currently engaged in de-mining works.

He revealed that the parties concerned have not furnished correct information and maps for de-mining. The maps submitted already were unsatisfactory as those were without the required information. However, action had been taken to expedite de-mining works. De-mining programmes were being implemented giving priority to areas where IDPs could be resettled.

LTTE cadre killed: Ma y 1 - A cadre of the LTTE was killed in Batticaloa in a claymore mine blast today around 11.30 a.m. The attack took place at Pondukalchenai, about 5 kilometres from Kiran north of Batticaloa which was claimed to have been carried out by the breakaway Karuna faction of the LTTE.

Karuna loyalist shot dead: May 3 - Ponniah Jeevaratnam, from Arayampathi in Batticaloa district, was shot dead at the 5th mile post junction in Batticaloa-Manmunai road at 6.40 pm on 2 May by an unknown gunman. The victim was brought on a motorbike from Arayampathi to the scene of the killing before he was shot dead at point blank range, according to police sources.

Jeevaratnam was a close friend of Reginald who was an important functionary in the Karuna faction of the LTTE.

LTTE ready to resume talks: May 3 - Ambassador for Norway in Colombo, Mr. Hans Brattskar, Norway's special peace envoy, Mr. Eric Solheim, and Second Secretary of the Norwegian Embassy in Colombo, Ms. Kjersti Thomsdal, met with Mr. S. P. Thamilchelvan, Head of the LTTE Political Wing at the LTTE Peace Secretariat in Kilinochchi. The talks lasted for more than two hours and focused on the resumption of stalled peace talks and about preparing the agenda for the talks between the LTTE and the Government.

Liberation Tigers were fully prepared to resume negotiations on the same principles and in the same atmosphere the peace talks were carried out under the previous government in Colombo, Mr. Thamilchelvan said, speaking to journalists after meeting with the Norwegian delegation. Responding to a question on how soon the negotiations would resume, Mr. Thamilchelvan said that talks can begin when the Government said it was ready.

He emphasized that the LTTE was prepared to continue the talks based on the concepts and principles embodied in the draft proposals for Interim Self Governing Authority (ISGA) submitted to the previous government, adding that more than 90% of the Tamil people in North East had endorsed this stand by giving an overwhelming mandate in the last elections.

Thamilchelvan said that the Government should stop the Army from giving continued support to Karuna and his men who are behind the recent violent incidents in Batticaloa. Failing to do so would have far reaching consequences, he warned.

Mr. Thamilchelvan had pointed out to Mr. Solheim that Mr. Vinayagamoorthy Muraleetharan ('Karuna') was now a 'fugitive' having committed 'murders, immoral acts' and having indulged in 'fraudulent practices,' and therefore if the Government or the Army harboured any Karuna group members, 'it would jeopardize the peace process.'

Strike over police killings: May 3 - Hundreds of thousands of

plantation workers in the central province went on a token strike, protesting against the killing of two Tamil youths, Mr.Weerasamy Jeyarajan and Alagan Wimalanathan, on 28 April in Kandapola, when police opened fire following a clash between Tamils and Sinhalese after a traffic accident. .

The main political party among the plantation workers, the Ceylon Workers Congress (CWC), spearheaded the strike. Almost all the estate workers in the upcountry participated in the strike irrespective of trade union and political party affiliations.

Meanwhile, CWC President and former minister, Mr.Arumugam Thondaman, met with the President, Ms. Chandrika Kumaratunge, Sunday at Nuwara Eliya, and requested stern action against the police officials who were responsible for the killings.

Police search journalist's home: May 4 - Sri Lanka Police raided a journalist's home in Colombo May 3 night. During the raid by a large group of Police personnel, the journalist, Mr. Sivaram Dharmeratnam ('Taraki'), a political affairs columnist for English and Tamil papers published from Colombo and a member of TamilNet's editorial board, was away in Batticaloa in connection with the World Press Freedom Day. The journalist's family said that the raid was intimidating. Mr. Dharmeratnam was threatened and intimidated several times in the past for his comments and reporting on Tamil issues.

Scores of special Policemen searched the journalist's house and its premises claiming they were looking for a cache of dangerous weapons hidden there. "The raid on the Tamil journalist's home is an act of crude intimidation aimed at stepping up pressure on Mr. Sivaram's family and thereby prevent him from writing critically on sensitive issues affecting the Tamil people. That the Police should have chosen World Press Freedom Day to raid a well known Tamil journalist's home speaks volumes for the state of media freedom in Sri Lanka", said Mr. R. Thurairatnam, President of the Sri Lanka Tamil Media Alliance.

Solheim meets TNA delegation: May 4 – "Peace talks between the United Peoples Freedom Alliance (UPFA) government and the Liberation Tigers of Tamil Eelam (LTTE) should be held on the basis of the Interim Self Governing Authority (ISGA) proposal. The UPFA government should not use the opportunity of holding peace talks as a device to strengthen its position in the parliament and to obtain foreign aid," a delegation of the Tamil National Alliance (TNA) is reported to have told the visiting Norwegian special peace envoy Mr. Erik Solheim during a discussion held at the Norwegian embassy in Colombo..

The TNA delegation led by its parliamentary group leader Mr.R.Sampanthan comprised Messrs Mavai Senathirajah, Joseph Pararajasingham, Suresh Premachchandran, Selvam Adaikalanathan, Gajendrakumar Ponnambalam, Sivanathan Kishor, S.Jeyananthamoorthy, M.K.Eelaventhan, K.Pathmanathan, T.Kanagasabai and Mrs. Padmini Sithamparanathan.

Norwegian ambassador in Colombo Mr. Hans Brattskar and a foreign ministry official participated in the discussion with Mr. Erik Solheim.

The TNA delegation had pointed out that there was no clarity within the members of the Sri Lanka government regarding the proposed peace talks with the LTTE. Constituent parties of the UPFA had not made their stands clear in regard to the proposed peace talks. The executive head of the government should first assert that she would be in a position to implement a political solution found at the end of the peace talks, TNA delegation said.

Solheim briefs Opposition Leader: May 5 - Mr. Erik Solheim, the Norwegian peace envoy, met with the Leader of the Opposition Mr.Ranil Wickremasinghe, on 5 May and briefed him on the outcome of the talks he had with the President, Ms. Chandrika Kumaratunge, political leadership of the LTTE, leaders of the Sri Lanka Muslim Congress and the TNA since he arrived in Colombo..

Mr.Wickremasinghe is reported to have told the peace envoy that his party would not oppose the resumption of peace talks from where it left off and also based on the Interim Self Governing Authority (ISGA) proposal submitted by the LTTE in October last year.

Meanwhile, Mr.Solheim had told the SLMC leader, Mr.Rauff Hakeem, that the decision to allow Muslim representatives as a separate entity to participate in the future peace talks was in the hands of the government, but he would convey the request of the SLMC to the President.

During his stay in Colombo, Mr. Solheim twice met with the Indian High Commissioner, Mr.Nirupam Sen, and briefed him about the outcome of the talks he has had in Colombo with the President, LTTE leadership and leaders of SLMC, UNP and TNA.

Two Tigers shot dead in Batticaloa: May 6 - Mr. Sivanathan Murali alias Pahalavan and Mr. Vathanan, belonging to the LTTE were shot dead around 2 p.m. on 6 May at Thannamunai, located 9 kilometers northwest of Batticaloa town. The bodies of the dead were taken to the mortuary of the Batticaloa teaching hospital, police said.

According to local residents, the victims had been shot while riding a motor bicycle bearing No:GT 470 along Valaichchenai-Batticaloa main road and they died on the spot. Monitors of the Sri Lanka Monitoring Mission based in Batticaloa rushed to the site on a compliant by the LTTE and held on the spot observation.

LTTE sources alleged that both their activists had been shot dead by Tamil paramilitary groups closely associating with the Sri Lanka Army in Batticaloa. LTTE sources further said this crime could not have been committed without the knowledge of the SLA.

EU urged to suspend aid until ISGA: May 7 - The Tamil National Alliance (TNA) appealed to the member countries of the European Union to release their aid to the Sri Lanka government only after the establishment of the Interim Self Governing Authority (ISGA) in the northeast province. TNA delegation led by its parliamentary group leader Mr.R.Sampanthan at a discussion held on 6 May with the representatives of the European Union stressed that the release of the aid to Sri Lanka should be decided on the positive development of the peace process. The delegation further said there was no guarantee that the aid channeled by the EU would be utilized for the reconstruction and rehabilitation of the war-torn northeast province as no institution is functioning in the northeast to ensure that such funds are properly utilized for the required purpose. "Hence we appeal to the EU to release funds to SL government only after the establishment of the ISGA in the northeast," TNA delegation had requested.

Anton Balasingham in Sri Lanka: May 7 - Mr.Anton Balasingham, LTTE's theoretician and political strategist, along with his wife Adele Balasingham arrived in Colombo on 7 May and was received by the Sri Lanka's Norwegian ambassador, Mr. Hans Brattskar, at the Katunayake international airport.

Mr. Balasingham's visit to Vanni was to meet LTTE leader, Mr.V.Pirapaharan, and other senior LTTE leaders ahead of a visit

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of the Norwegian Foreign Minister, Mr.Jan Petersen, and his deputy, Mr. Vidar Helgessen, to map out the strategy for future peace talks with the new Government of President Kumaratunga.

Mr.Balasingham and his wife were airlifted on the same day in a Sri Lanka Air Force helicopter to the LTTE-held Kilinochchi for consultations with Mr. Velupillai Pirapaharan. He was received by the head of the LTTE's political division, Mr. S. P Thamilchelvan, Mr. B. Nadesan, chief of the Tamil Eelam Police Service and head of the Thamil Eelam Judiciary, Mr. E. Pararajasingham.

Soldier injured in grenade attack: May 8 - Explosion of a hand grenade inside a Special Task Force (STF) camp near the main bus stand in Batticaloa town injured soldier Champika Kumara on May 8, security sources said. The injured soldier has been admitted to the Batticaloa Teaching Hospital and receiving treatment for his injuries, according to hospital sources. Residents of the area said that they heard several gun shots following the grenade explosion.

Security strengthened for TNA MPs.: May 8 - More than ten Police officers and Sri Lanka Army (SLA) soldiers are providing security to Batticaloa district Tamil National Alliance (TNA) parliamentarian, Ms.Thangeswary Kathirgaman, at her Nalliah Road residence in Batticaloa, according to local sources. Police officers are providing protection for other TNA parliamentarians including Kanagasabai Jeyanandamoorthy and Pathmanathan. The parliamentarians had sought the provision of security on the basis that there is a threat to them from the Karuna faction of the LTTE.

LTTE warning on killings: May 8 – "It is apparent that the killers have all the assistance from the SLA and we request of you to advise the government that if the SLA continues to act in this manner the entire peace process and the cease fire agreement are being placed in heavy risk and dire consequence have to be faced," said S P Thamilchelvan, Leader of the Political Wing of the LTTE in a letter to the Sri Lanka Monitoring Mission (SLMM), pointing out to the recent murders of two LTTE cadres in Batticaloa district.

The full text of the letter published in LTTE's Peace Secretariat website is as follows: "Two LTTE members, travelling by a motorbike from Batticaloa town to Chenkaladi around 12 noon yesterday 6th of May 2004 were shod dead at a location called Thannamunai. Situated 250 meters on both sides of the location are two SLA sentry points. The killers have not been apprehended.

"As stated by us in our communication this appears to be a continuing trend and we are highly perturbed over this. It is apparent that the killers have all the assistance from the SLA and we request you to advise the government that if the SLA continues to act in this manner the entire peace process and the cease fire agreement are being placed in heavy risk and dire consequence have to be faced. We are afraid that it may become impossible for us to be patient onlookers of this cavalier fashion in which killing are being carried out.

"We trust that the SLMM will explore all avenues of investigations and institute remedial and preventive action. Urgent steps must be taken to conduct an in-depth inquiry and bring to book the culprits."

According to army sources, the conflict between the LTTE and its dissident Karuna faction has been the cause of the spate of killings and counter-killings primarily in the east of the country.

Another Karuna loyalist killed: May 9 - Mr. Selvarasa Gunaseelan (28) of School Lane in Kiran in Batticaloa district was shot dead May 8 around midnight at Paththinipuram, a resettled village in Thampalakamam division, which is located about seventeen km off Trincomalee town along Trincomalee-Kandy highway, Kantalai Police said.

According to preliminary investigation conducted by the Tampalakamam police under the direction of Kantalai Senior Superintendent of Police Mr.H.A.Ilankasiri, the body of the youth was found in the resettled village with gunshot injuries and a letter in his shirt pocket with his national identity card. The body was identified as of Mr.Selvarasa Gunaseelan with his NIC, police sources said. It is learnt that he belonged to the Karuna faction of the LTTE. The matter has been reported to the Trincomalee office of the Sri Lanka Monitoring Mission (SLMM), sources said.

Army operative shot dead in Batticaloa: May 10 - Mr. Vasantha Colombage, a member of the Sri Lanka Army intelligence unit was shot dead on May 9 around 10 a.m. inside a private passenger bus when he was returning for duty in Batticaloa from Polonnaruwa, Batticaloa Police said.

An unidentified person travelling in the same bus shot dead the victim on the spot when the bus stopped at the railway station junction in Thandavanveli in Batticaloa town and fled from the scene, eyewitnesses said.

The body of Mr. Vasantha Colombage was handed over to the mortuary of the Batticaloa teaching hospital. Reports in newspapers in Colombo blamed the LTTE for the killing.

Norwegian FM in Lanka: May 11 - Norwegian Foreign Minister Mr. Jan Peterson with his deputy Mr. Vidar Helgessen arrived in Colombo on May 10 to hold discussions with President Ms Chandrika Kumaratunge and the leadership of the LTTE to work out modalities to resume the stalled peace talks, according reports from Colombo.

Before attending a pre-arranged meeting with President Kumaratunga, Mr. Peterson met the Prime Minister Mr.Mahinda Rajapakse and Foreign Minister Mr.Lakshman Kadirgamar.

It was reported that Mr.Petersen later met with Sri Lanka's President, Ms. Chandrika Kumaratunga, and had wide-ranging discussions for about an hour for the first time since the new government came to power. Diplomatic sources said Norwegian facilitators were able to get assurances from the Sri Lanka's President on the modalities to take forward the peace process.

On May 11, Mr Jan Petersen accompanied by his deputy Mr. Vidar Helgesen and Norway's ambassador for Sri Lanka, Mr. Hans Brattskar flew to Kilinochchi and met with LTTE leader Mr. Velupillai Pirapaharan and his political advisor, Mr. Anton Balasingham and discussed matters relating to the resumption of peace talks. It was reported that Mr. Petersen conveyed the outcome of the talks he had with Ms.Kumaratunge to the LTTE leader, and conveyed the decision by the government that it would hold peace talks only with the LTTE, thus conceding the LTTE's demand to be recognized as the 'sole representatives' of the Tamil people.

Army-LTTE meet to 'prevent killings': May 11 - The Sri Lanka army and the LTTE have agreed in Batticaloa to "develop mechanisms to ensure information sharing and quick reaction procedures to prevent serious crimes and to ensure proper procedures to apprehend individuals perpetrating serious crimes". The meeting, chaired by Head of Sri Lanka Monitoring Mission, Major General Trond Furuhovde, held on 11 May at the Vavunathivu divisional secretariat, 5 kilometres, northwest of Batticaloa town. It was arranged amidst several reported killings particularly in the east of the island that threatened to jeopardize the cease-fire agreement between LTTE and Colombo. The main topics on the agenda were; 1) avoid future killings, and 2) improve investigation cooperation between the Parties.

The parties agreed to develop mechanisms to ensure information sharing and quick reaction procedures to prevent serious crimes and further, to ensure proper procedures to apprehend individuals perpetrating serious crimes. The Parties also agreed to meet on a biweekly basis to work out practicalities and to continue the good cooperation between the Parties. The Parties further agreed to continue to uphold and respect the Cease Fire Agreement entered into between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam on the 22nd of February 2002.

Col. Thambirajah Ramesh, led the LTTE delegation to the meeting. Speaking to the press after the meeting Col. Ramesh said that the SLA had agreed to help the Tigers investigate the killings of their cadres in Thannamunai and in Ayithiyamalai recently. He categorically denied that the LTTE had anything to do with the killing of a military intelligence operative of the SLA in Batticaloa town on 9 May.

Consultation to continue: May 11 - "The Government of Norway will continue to consult with the Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE) in the

coming weeks as some issues need to be discussed further before negotiations can start," said the Norwegian Embassy in Sri Lanka in a press release issued on 11 May.

The press release said, "Norwegian Foreign Minister Mr.Jan Petersen with Deputy Foreign Minister Mr. Vidar Helgessen and Norwegian ambassador in Sri Lanka Mr. Hans Brattskar met with the President Ms Chandrika Kumaratunge on May 10th and with the LTTE leadership on May 11th to discuss the possibilities of bringing the peace process forward.

"We have had constructive and positive meetings with both parties. There is a clear commitment from the GOSL and LTTE to resume direct negotiations. Some issues need to be discussed further before negotiations can start. Norway will continue to consult with the GOSL and LTTE in the coming weeks.

Both parties, GOSL and LTTE reaffirmed their request to Norway to act as a facilitator of the peace process."

Japanese envoy visits Jaffna: May 11 - A delegation of academics led by Jaffna University Vice Chancellor, Professor C.Mohanadas, told the visiting Japanese ambassador in Sri Lanka, Mr.Akisuda, that Tamils in the northeast province had not been allowed by the government in power to enjoy the benefits of the ceasefire now holding in the country since February 22, 2002. They made an appeal to the Japanese government not to grant any aid to Sri Lankan government until a permanent political solution is found for the Tamil national question.

The academics pointed out that the majority community in the south enjoys the fruits of the ceasefire.

The Japanese envoy arrived in Jaffna by air Tuesday and first conferred with Sri Lankan military officials based in Palaly on the ground situation and later visited the Jaffna University.

Two Karuna men killed: May 11 - Two persons reported to be strong supporters of Karuna faction of the LTTE were shot dead on 11 May at Polonnaruwa in Aralaganwila, police said. They said the police believe these killings may have been engineered by cadres under the command of new LTTE eastern sector leader Ramesh. The victims of the shooting were identified as Krishnapullai Pakkyaraja (27) of Soruwila and Sevilan (23) of Kiran in Batticaloa.

SLMC to offer conditional support: May 12 - The Sri Lanka Muslim Congress (SLMC) politburo has decided to extend its support to the ruling minority United Peoples Freedom Alliance (UPFA) government on two conditions - one is to accommodate a Muslim delegation as a separate entity at the upcoming peace talks with the Liberation Tigers and the other is not to abolish the executive presidency as proposed, SLMC general sectary Mr.M.T.Hassan Ali said. The decision would be conveyed to the President Ms Chandrika Kumaratunge Wednesday in writing, said Mr.M.T.Hassan Ali.

Mr.Hassan Ali further said that the present Sri Lanka government is creating dissension among opposition parties. It earlier unsuccessfully tried to divide the main opposition UNF. Now the government has been trying this strategy with minority community parties. The UPFA earlier attempted to cause split in the SLMC. As it failed now the government is adopting a policy of marginalizing the Muslim parties from the main political stream.

UNP not to support sham peace effort: May 13 - The main opposition United National Party (UNP) announced that it would not support the sham peace efforts of the United Peoples Freedom Alliance (UPFA) government . "UPFA leaders make contradicting statements on their peace efforts. It clearly shows that they are insincere in their peace moves. Hence the UNP will not support the sham peace efforts of the UPFA government," said UNP senior leader and a former minister in the then UNF government Professor G.L.Peiris at a press briefing held on 13 May in Colombo.

Mr.Peiris further said the UNP government launched the peace process accepting the LTTE as the sole representative of Tamils and the UPFA opposed it then. "We could note serious contradictions in the statements issued by leaders of the UPFA then and now. Now some UPFA leaders say that they recognize the LTTE as the sole representative of Tamils. UPFA is not sincere in their statements regarding the peace process," said Mr. Peiris.

"The UPFA has been forced to accept LTTE as the sole representative of Tamils. It is very difficult for the UPFA government to take forward the peace process in a constructive way with such contradictions. Therefore the UNP has decided not to support UPFA government's sham peace efforts," said Mr.Peiris.

Youth shot dead in Vavuniya: May 14 - Mr. Kalimuthu Santhakumar, 28, in Marambaikulam, Vavuniya, was shot dead on May 13 at 9:30 p.m. by a group of unidentified gunmen. The attackers escaped after stabbing another villager, Sabaratnam Jayanthan (24), who went out to check after hearing gunshots, police said. According to the initial investigations of the police, there were five attackers in the group who came in a three-wheeler and a motorbike.

Jayanthan was admitted to the Vavuniya hospital with serious wounds. Police said that the dead man was a former member of a militant organization. The Police are continuing investigations and are trying to apprehend suspects, security sources said.

Grenade attack on soldiers: May 15 - Three Sri Lanka Army soldiers and a policeman were injured in a hand grenade attack when they were travelling on Vinyagar road, Sethukudah, 3 km from the Batticaloa town centre, at 12:30 a.m. on 15 May, according police sources. Gunshots were heard for a few minutes following the incident. The incident occurred just 200 meters from the Sri Lanka Air Force base in Batticaloa. According to police, the injured were admitted to the Batticaloa teaching hospital.

Abduction of students: May 15 - A senior Army officer in the North said that a 17 year old student from Jaffna Achchuweli and a 13 year old female student from Vavuniya Warikottan Refugee camp had been abducted by LTTE cadres.

An LTTE cadre who had come in a motorbike had threatened the victim Navaratne Krishanthan (17) of Achuweli area by pointing a pistol while he was taking a telephone call at Jaffna Nirveli area and had abducted him.

LTTE political wing leader Suresh Kanthan had allegedly come and abducted the female student Arumugam Jayalalitha (13) from Vavuniya Warikottu refugee camp.

The girl's mother Arunmagam Sellamma (47) had made a complaint to the SLMM against the abduction of her daughter. Security sources said that the LTTE cadres who had come to Jaffna from Wanni last week would have abducted the children. The boy's father Kandiah Navaratnam too had made a complaint to the SLMM.

Dutch delegation visits Batticaloa: May 16 - A delegation of Dutch diplomats led by First Secretary of the Embassy of Netherland in Colombo, Mr.D.R.S.Jan Hugskes, visited Batticaloa district on 15 May to review development and rehabilitation work being carried out in the district and discuss matters related to granting future aid, sources said.

The delegation accompanied by officals of Central Social Development Office including the Commissioner Manel Jayamanne

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met with District Government Agent S. Punniyamoorthy and Municipal Commissioner S.Navaneethan and NECORD Director R.Sivanantharajah and visited different areas where projects are being carried. Mr.Sivanantharajah said that during the period following the signing of Cease Fire Agreement in 2001, more than six thousand resettled families have been given a grant of Rs.25,000 each under a Humanitarian aid scheme supported by the Government of Netherland.

Tie aid to acceptance of ISGA: May 16 - Tamil National Alliance (TNA) parliamentary group leader Mr.R.Sampanthan told the visiting Japanese special peace envoy to Sri Lanka, Mr.Yasushi Akashi, that flow of foreign aid to Sri Lanka should depend on the progress made in establishing the Internal Self Governing Authority (ISGA) in northeast province. Mr.Sampanthan met with Mr. Akashi in the Japanese embassy in Colombo on 16 May and held more than an hour long discussion on the current political situation in Sri Lanka, TNA sources said.

Foreign aid to Sri Lanka should be used as a leverage to ensure the peace process forward, said Mr.Sampanthan. "The Tokyo Declaration has clearly suggested for an innovative administrative structure that will promote reconciliation in the north east province. The Sri Lankan government should take up this point for its serious consideration and should come forward to establish an interim self governing authority (ISGA)," Mr.R.Sampanthan told Mr.Akashi.

'Ellalan Army' strikes and kills: May 16 - Police found the body of a person identified as Subramaniam Chandralalith, 22, shot dead in Jaffna town in the early hours of May 16. He was abducted in a van by unknown persons the day before, Police sources in the northern town said. In a note found near his body, a group calling itself Ellalan Army claimed that it had killed Chandralalith and punished five others for criminal activities including robbery, rape, abduction, extortion, fraud and child molestation.

Five persons who were abducted along with him by the group on 15 May were found in different places in the town blindfolded and with their hands tied. They had been severely beaten up before they were pushed out of the van in which they were abducted, Police sources in Jaffna said.

The note found near his body warned that the Ellalan Army would continue to punish criminals if they did not cease their anti-social activities in Jaffna immediately. Police said they had not arrested anyone in connection with the murder and abductions. They said they do not know anything about the Ellalan Army.

Tiger arms haul taken into custody: May 16 - Murunkan police in northern Sri Lanka took into custody a haul of arms while they were being transported to a LTTE camp. The arms and ammunition which were taken into custody a few days back included 18 mortars, 2100 bullets, and 2400 other arms and ammunition of Chinese origin, police said.

The arms were handed over to the Vavuniya police on 13 May. Army personnel in Vavunia said the stock of arms and ammunition was valued around 10 million rupees. The arms and ammunition were hidden in a sand filled tractor trailer when the police made the detection. The driver of the tractor was produced before the Vavuniya Magistrate and remanded.

SLMC seeks Muslim role: May 17 - At a meeting with the Japanese special peace envoy, Mr.Yasushi Akashi, Sri Lanka Muslim Congress (SLMC) leader, Mr.Rauff Hakeem, requested Mr. Akashi to inform the UPFA government, the main opposition UNP and the LTTE leadership of the urgent need of accommodating the Muslim delegation in the next round of peace talks as a separate entity. The Muslim leader is reported to have informed Mr. Akashi that the peace talks would fail without the participation of a Muslim delegation as a separate entity, SLMC sources said.

New MPs sworn in: May 18 - Four new parliamentarians were sworn in by the Speaker when Sri Lanka's parliament convened on 18 May. One of the four was Mr.Pakkiaselvam Ariyanenthiran of the Tamil National Alliance who was sworn in as MP for the Batticaloa district filling the vacancy created by the resignation of Mr. Kingsely Rasanayakam from the same electoral district. Mr. Rasanayakam was elected to parliament in the April 2nd general election polling the fourth highest preferential votes. He was compelled to resign his seat following the 'change in political circumstances' in eastern Sri Lanka in the wake of Karuna's rebellion.

The other three parliamentarians who were sworn in were from the ruling United National Freedom Alliance (UPFA). They are, Mr.Ratnasiri Wickremanayake, a former Prime Minister, Mr. Mervyn Perera and Mr. Wijethasa Rajapakse filling the vacancies created by the resignations of Mr. Janadasa Peiris, Ms. Mary Lucida and Mr. Weerasekara from the National list of UPFA. Mr. Janadasa Peiris was later appointed as the Chairman of the State controlled Lake House group of newspapers.

Akashi meets Thamilchelvan: May 18 - Japanese special envoy Mr.Yasushi Akashi had discussions with Mr.S.P.Thamilchelvan, head of the LTTE's political divison, on issues related to the planned resumption of the long stalled peace talks between the Tigers and Colombo on May 18 in Killinochchi. The hour-long discussion also centred on reconstruction and development in the northeast, LTTE officials said. The meeting took place at the LTTE's peace secretariat in Kilinochchi. Mr. Akashi and Mr. Thamilchelvan discussed the progress made so far to resume the stalled peace process due to the renewed facilitation of the Norwegian government at the invitation of President Ms Chandrika Kumaratunge.

Abducted JHU MP resigns: May 18 - Jathika Hela Urumaya (JHU) monk parliamentarian, Venerable Kataluwe Ratnaseeha Thera, who was reported to have been abducted on 17 May and kept confined, has resigned his seat in parliament. The Speaker Mr.W.J.M.Lokkubandara confirmed the resignation by the JHU parliamentarian, according Colombo media sources. It is alleged that the monk MP had been forced to resign because he defied the leadership of the JHU in the voting for the election of Speaker.

Venerable Ratnaseeha Thera was one of the two JHU monk parliamentarians who supported the candidate of the ruling United People's Freedom Alliance (UPFA) in the election of Speaker in defiance of the JHU leadership decision to maintain neutral in the contest. These two JHU monk parliamentarians went into hiding several days before the election of the Speaker. They were present on the day when the new parliament met on April 22 to elect new Speaker. The JHU leadership charged then that some leaders of the UPFA were behind the hiding of their two MPs.

Venerable Ratnaseeha Thera, one of these two MPs was allegedly abducted by a group of unidentified persons who came in a vehicle on the night of May 17 when he was in his temple. According to the complaint lodged at the Moratuwa Police, the persons who came in a vehicle had kidnapped the Bhikku MP and taken him to an undisclosed location.

Police operative shot dead: May 19 - A Sri Lanka Police intelligence operative was shot dead by an unidentified gunman about 11.30 a.m on 19 May at a sub-post office in Batticaloa town. The Reserve Police Constable identified as Mr. Dassanayaka succumbed to his wounds after he was rushed to the Batticaloa Teaching Hospital. The RPC was buying stamps at the post office near the hospital when he was shot, Police said. Security sources blamed the LTTE for the killing. However, Mr. E. Kausalyan, the political head of the Liberation Tigers of Tamil Eelam in Batticaloa, told media sources that the LTTE had nothing to do with the killing of a police intelligence operative in the Batticaloa town

Akashi urges give and take: May 19 – "The future peace talks between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam will be based on the Interim Self Governing Authority proposals submitted by the LTTE. The ISGA of the LTTE should be subjected to a dialogue before reaching a consensus," said the Japanese special peace envoy, Mr.Yasushi Akashi, addressing a press conference in Colombo.

Expressing confidence that both parties in the peace talks

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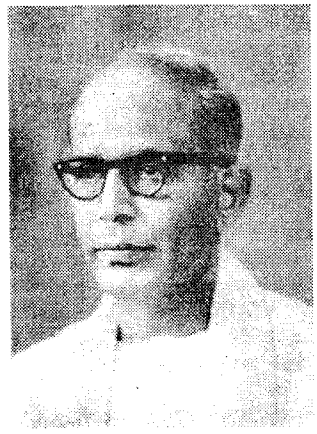


Mr.C.K.Kanthaswami, *Emeritus Principal, Kokuvil Hindu College, Jaffna; second son of the late Dr. Chinnappaa Kanagaratnam and Theivanayaki of Vannarponnai, Jaffna; son-in-law of the late Mr. & Mrs Vyramuthu of Annaicoddai, Jaffna; brother of Dr. Sivagnanaratnam and Mrs Sivanayaki Sivarajah ; beloved husband of Mahadevi; loving father of Dhayananthan (Australia), Dr.Shanthini , Dr.Abhirami (both of UK), Vaheesan and Gitanjali (both of Australia); father-in-law of Vijayalakshmi, Dr. Kandiah Sivakumar, Dr. Jayantha Arnold, Dhushyanthi and Thangarajah Nirmalarajan; dearly loved grandfather of Gajendran and Janarthany; Dr. Branavan and Sivahami; Ahranyan and Ramya; Ahrani and Hariharan; Bhargavi and Sindhura; brother-in-law of Dr. Kanagarasa (USA), Mr. Parameswaran (Sri Lanka) and Mrs Pathmadevi Kathiresan (UK) passed away peacefully on 21st April 2004 in Sydney, Australia and the final rites and cremation took place there on 24th April. The large attendance on this occasion, it was felt was a fitting farewell to this illustrious soul.*

The members of the family wish to thank all relatives and friends who attended the funeral, sent floral tributes and messages of sympathy and assisted them in several ways during the period of bereavement.

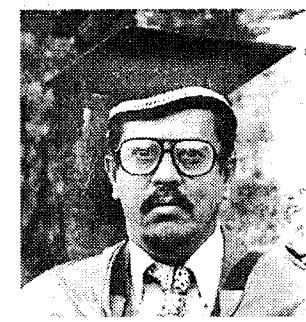
A Memorial Meeting *to pay homage to the late Mr.* ***C.K.Kandasamy*** *organised by the members of his family and the Old Students Association of Kokuvil Hindu College in UK will be held at* ***Acton Town Hall, Winchester Street, (off Uxbridge Road), Acton, W3 6NE on Sunday, 30th May 2004 at 11 a.m.***

All relatives, friends and wellwishers who wish to attend this meeting are cordially invited to partake and there after join us for Lunch.

For further information please contact:
Mr. S.Sriranjan, Kokuvil Hindu O.S.A (UK) ***014 9471 8430***
Drs Shantini & Kandiah Sivakumar ***0208 468 7181***
Drs Abhirami & Jayantha Arnold ***01923 825235***

Dr. Sittambalam – Thevy *(Née) Hoole;* *Much loved and loving daughter of late Dr. Edwin and Kanagam Hoole; devoted wife of late Rajah; loving aunt who will be always remembered by Asha Fay (née) Murugesan); former Head Girl of Vembadi Girls' High School; Eye Specialist at Jaffna and Colombo Hospitals passed away peacefully on 22nd April 2004 in London. Cremation took place on 4th May at Chiltern Crematorium, Amersham, Bucks.*

Sadly missed and remembered with great affection by all her relatives and friends.
UK inquiries
01494 444 756.



Eng Ramasamy Vijayaratnam, *Head of the Dept. of Agricultural Engineering, Faculty of Agriculture, University of Jaffna; son of the late Mr. & Mrs Ramasamy (Vijaya Stores, Nalllur); son-in-law of late Mr. Kandiah (Kandiah & Sons) and Mrs Kandiah; loving husband of Selva (Research officer in charge of Agricultural Research Station, Thirunelvely, Jaffna); loving father of Purushoththaman (Jaffna Hindu College), Toothiransali (Chundukulei Girls' College); loving brother of Vijakumar (Jaffna), Vijayadevi, Vijayarani, Jegaasothy (all of London); brother-in-law of Nathan, Sundaralingam, Thillainathan (all of London), Naguleswary (Jaffna); uncle of Anand, Meni, Luxey, Vasanth (all of London), Luxana (Jaffna) passed away peacefully at his residence in Jaffna on 2nd March 2004. The funeral took place on 4th March.*

The family thank all relatives and friends who attended the funeral, sent messages of their condolences and for their support during the period of sorrow. They would also like to thank the staff and students of the

Agricultural Engineering Faculty of the University of Jaffna for organising the services and speeches at the funeral

Fond remembrances of Anna from his sisters.- 11 Bulstrode Avenue, Hounslow, Middlesex TW3 3AA, UK. Tel: 0208 577 6377 (Mrs Sundar), 0208 560 0375 (Mrs Nathan), 0208 230 0619(Mrs Thillai)

IN MEMORIAMS

In ever loving memory of Pandithar Marimuthu Manickam, Headmaster on the first anniversary of his passing away on 27th March 2003.

No father is so devoted and caring, as you were
No day passes by without thoughts of you
Though we do not see you in your physical form
We feel and touch you in every way.
Our hearts still refuse to accept your demise
As we never wanted to part.

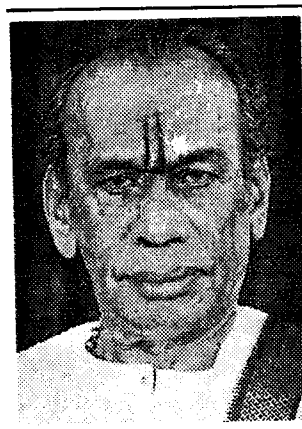
Dearly loved, sadly missed and fondly remembered by your beloved wife Nagammah; loving children Kanthithasan, Sathiamoorthy, Santhirakanthan, Kanthimathy, Indumathy, Indusegaran and Bhanumathy; sons-in-law, daughters-in-law and grandchildren.
– 53, Sundale Avenue, South Croydon, Surrey CR2 8RR.

FORTHCOMINGS EVENTS

June 1 *Vaikasi Visakam*
2 *Full moon*
5 *Sankatakara Chathurthi*
6 *Stoneleigh Sri Rajarajeswari Amman Temple Ther Festival*
7 " " *Theertham Festival*
8 " " *Poongavanam Festival*
9 " " *Vairavar Maddai*
10 *Feast of St Barnabas*
13 *Eekathasi*
14 *Highgatehill Murugan Temple Kodi Eattam Annual Festival; Pirathosam*
15 *Karthigai*
17 *Amavasai*
18 *Festival of St Romuald*
21 *Chathurthi; Feast of St. Aloysius Gonzaga*
24 *Aani Uthiram; Feast of the Birth of St. John Baptist*
27 *Highgatehill Murugan Temple Ther Festival*
28 *Highgatehill Murugan Temple Thirtham Festival; Eekathasi*
29 *Highgatehill Murugan Temple Thirukkalyanan Festival*
30 *Highgatehill Murugan Temple Vairavar Maddai; Pirathosam*

At Bhavan Centre, 4A Castletown Road, London W149HQ. Tel: 9207381 3086/ 4608. Website:www.bhavan.net
June 12 *3-4p.m.in Library – Lecture on* ***Raja Ram Mohan Roy*** *by Dr. B.P.Choudhury. All welcome*
June 12 *6.30 p.m. in M.P.Birla Millennium Art Gallery* ***Sarod*** *concert by Debojyoti Bose*
June 19 *3 - 4 p.m. Lecture on* ***Bakti Literature in Sanskrit*** *by Dr. Gautham Patel - All welcome*
June 20 *3.30 p.m. Book Launch- Reginald Massey's latest book* ***Indian Dances – Their History, Technique and Repertoire*** *All welcome*

Release of Fine Arts books by late 'Iyalisai Varithi' 'Kavi Mamani' N.Veeramani Iyer



This event was held at the London Sri Murugan Temple on Friday, 23rd April 2004 to release the following books by Sri N.Veeramani Iyer:- 'Natya Nadangal', '72 Melakartha Thirumayillai katpagambal', 'Thiru Ketheswara Kuravanjie' and Vinayagar Keerthanaigal'. It was graced by varied personalities representing the Tamil community consisting of those from the legal, business, religious and spiritual sectors, classical music lovers, the press and mass media.

Mr. Wimal Sockanathan presided and the Chief Guest was the renowned classical and film musician Sri P. Unnikrishnan from India. In his speech , he praised the writings of Sri Veeramani Iyer and added that he would soon be singing some of his compositions on Thiruchendur Murugan (previously released) and Thirumayillai Katpagambal. The function befitted the divinity and spiritual blend of the occasion, with the blessings of the High Priest, Kailai Siva Sri R.Naganathasivam Gurukkal, President Mr. Sampath Kumar and Trustee Mr. S.K. Ganapathy of thr Sri Murugan Temple. The first copy was presented to Mr. Karunamoorthy of Ayngaran International and the Gawrawa copy to Mr V.Sivasundaram of Western Jewellers by the Chief Guest Sri. R.Thirumurugan from Sri Lanka and a very close associate of the late Veeramani Iyer was the special guest. He enlightened the audience that this release was the third in the series organised by Mrs Sivasakthy Sivanesan, Senior Lecturer in Carnatic Vocal Music and Veena at Bharatiya Vidya Bhavan, London who is strictly revering her Guru as in the 'Guru Kula' days. He mentioned that the late Veeramani Iyer had a number of students under his guidance ,responsibility and care, but it was Mrs Sivasakthy Sivanesan who was the first graduate of Veeramani Iyer, when he personally organised the Arangetram. He said that Mrs Sivasakthy Sivanesan has undertaken the great and sacred responsibility of printing all unpublished works of her Guru which reflects the deep relationship that existed between the Guru and the students. This greatness is an example which should be fol/owed by everyone.

The audience's great love and respect for Yalpanam 'Iyallisai Varithi' Veeramani Iyer was explicitly displayed by the spontaneous donation of £ 1500. This initial contribution ensures that the publishing of all handwritten scripts in book form, for the benefit of Tamil speaking people all over the world to maintain and preserve from time to time. This will be co-ordinated by Mrs Sivasakthy Sivanesan.

The wide range of speakers Mr. Sathananthan of London Murusu, Mr. Mahalingasivam of Anjal, Mr. Rajagopal, Editor of Puthinam and well known carnatic

(continued on next page)

singer and teacher Smt Mathini Sriskantharajah (who dwelt on the technical aspects) made it clear that all his works are a mine of social, spiritual, cultural and literary wealth. Special emphasis was made in the book reviews about the choice of words, unification of poetry, ethics, rhythm, pattern of beats, innumerable analogies and superhuman skills of the author which appealed to scholar and common man alike. They made it a point to mention the need for preserving all his valuable and dedicated works in whatever ways the Tamil diaspora, from all over the world can, for the benefit of the present and future generation's heritage of Tamil culture and fine arts.

Selvabaskeran

First Anniversary Remembrance

In loving memory of ***Sithamparapillai Thiruchelvam,*** *beloved husband of Dhanapathy; beloved father of Shamini and Shanjeev on the first anniversary of his passing away on 5th May 2003.*

We are truly blessed to have had such an exceptional father whose guidance and love can still be felt today. His good heart, delightful innocence and every-ready willingness to help people touched all those who knew him. He was the innately generous, eternal optimist who possessed an awesome understanding of Hinduism, Tamil Culture and Philosophy.

He was one of those rare individuals who dedicated most of his free time, energy and resources for the betterment of the community. (Having such an understanding and supportive wife was a God-send.)

Our father's vision and pioneering spirit was evident as soon as he came to England.

He was the first person to screen Tamil films in the U.K. He was the first Srilankan to organise charter flights to and from Sri Lanka. As the Vice President and a Founding Member of The London Tamil Sangam, he was the first to bring world-renowned artistes of music, dance and drama (such as M.S. Subulakshmi and Kumari Kamala) to England. He also brought the Indian President Rajaji.

The determination to ensure that Tamil culture thrived, led him to establish the first Tamil school in the U.K. – The Wimbledon Tamil School. Mr. Anandaraja shared the same ethos for a Tamil school and worked with our father for a brief time before emigrating to America. He also delighted in personally teaching the Tamil language and culture to children for many years. All the excellent teachers of language, Vocal music, Veena, Miruthangam, Flute, Violin and Bharathanatyam at the school, shared the same dedication resulting in a wonderfully happy environment conducive to learning.

In addition, our father was sought out by the Mauritius community who came from all over England to attend his Tamil classes at the Highgate Murugan Temple. He was devoted to various temples and as the chairman of the social and cultural committee, he organised many cultural events.

One of his interests was, in the words of Dr. S. Pasupathy Raja (a dear friend) "fostering and promoting Saivaism." He was greatly involved in the building of Highgate Murugan Temple, particularly in encouraging membership and cultural programmes.

He was a great friend who was positive in his ways. When we were depressed, he would cheer us up with his thoughts. He would say that he was born optimistic and would not let anything dampen his hope or enthusiasm. We should take a leaf out of his book and do likewise. May his soul rest in eternal peace.

Wisdom and Purity of the heart are priceless treasures, which our father had in abundance. There is so much more good he achieved which we have not written about, but everything culminates to the fact that he is cherished in countless hearts and minds. Such a loving father and devoted husband was a gift for which we are eternally grateful

– Sharmini and Shanjeev

The following are a few of the many tributes paid to our father.

I met Thiru soon after I arrived in London to assume office as High Commissioner for Sri Lanka in the U.K. From that time, till his passing away, we remained in close contact.

Thiru's life commands attention as much for what he was as an individual as for what he did.

There was no trace in him of hubris, flamboyance or thrusting aggressiveness. He had in the words of the poet " borne his faculties so meek." While pursuing his career as an accountant, he also devoted himself diligently to the task of enriching the cultural life of the Tamil community in London. He was associated with the initiative to build the Highgate Murugan Kovil and was a founding member of the London Tamil Sangam.

In the evening of his life, he could have looked back with satisfaction on a life well-lived and full of purpose. In addition, there were grounds for deep gratification shared with his wife Dhanapathy at the laudable success achieved by the two children in their chosen fields of work and endeavour- the son a career diplomat with the British foreign office and the daughter a microbiologist and an accomplished vocalist in carnatic music.

I wish to quote some of the most relevant words of Lord Krishna with regard to the nature of life in this world (corporeal life) and the inviolable, imperishable eternal life-soul that dwells transiently in the mortal body.

'Just as the dweller in this body passes through childhood, youth and age, so at death he merely passes into another kind of body.

That which is non-existent can never come into being and that which is can never cease to be.

Bodies are said to die. That which possesses the body is eternal. It cannot be limited or destroyed.'

By Mr A.T.Moorthy,
(Former High Commissioner for Sri Lanka)

One year has passed since our "Thiru" left us. His memories have ingrained and stabilized in the thoughts of all the Hindus living in the North of England. Thiru was a man who dedicated his time, energy, money and efforts for the development of the Hindu religion. He had been instrumental in the development of many Hindu temples in the United Kingdom. We the trustees of the North England Murugan temple of Yorkshire are indebted to Thiru for the services offered by him. He whole-heartedly supported our temple project since its inception 10 years ago in 1994. Thiru took a lot of initiative, advised the Trust Board on the methodology and the concept of poojas and abishehams, travelled all the way from London and brought

in Murugan with Valli and Theiwayanai in his own veh-icie together with a leading priest in London.

He negotiated with the Archway temple trustees and the Indian architects and donated a Kalyanamurugan to the North England Sri Murugan temple.

We the Hindus of the North of England will never forget Thiru throughout our lives. We sadly miss Mr Thiruchelvam and pray to God for his soul to rest in peace.

From: **The Board of Trustees,**
North England Sri Murugan Temple,
West Yorkshire.

My family and I have known Uncle Thiru and his family for over 25 years. He was one of my family's closest and dearest friends. So my perspective on uncle is unique to my experience but the feelings within it I'm sure would permeate the mind of anyone who had the good fortune to know him. They say that a measure of a person's success is how many lives they touch and influence. I am certain that there are many people who, like me have very fond memories of uncle Thiru, because he touched all our lives with the same brush of love, humour and charm.

Let me begin with a simple statement – Uncle Thiru was one of the most remarkable individuals that I have ever had the privilege to know and no eulogy – no matter how heartfelt – can ever begin to do him justice.

I was very fortunate to have interfaced a great deal with uncle and in particular I enjoyed immensely the many long and interesting conversa-tions we often had. They were filled quite literally with his experience, str-ength and hope. Uncle Thiru has influ-enced my life a great deal, particularly in helping me shape my outlook on life. He was one of those people who would always be willing to advise you – and you would know that any advice he gave always had your best interest at heart. He had a certain charm and warmth, rarely seen among those in our com-munity, and his relaxed, friendly and informal approach drew you to him. For me personally, I always felt confident in his presence, a feeling I rarely experi-ence among other elders in our com-munity. Like most Tamils of my age group, my fondest memories of uncle are those when I was young and atte-nding Tamil school. Most of my recolle-ctions as a youngster are centred around the Tamil school. Every Saturday, 2:00 pm at the Wimbledon Tamil school, uncle Thiru would be there with his great smile, orange juice and custard creams. His patience, care and love for the children at the school was something very rare. He had a way with the youth that is so rare in our com-munity.

I personally was quite a naughty child, but always found uncle Thiru to be calm, patient and always encouraging. He never criticised, never passed judgement, but always saw the best side of an individual and always tried to bring that out.

In the past 6 months I have attended several meetings to discuss why some of our tamil youth today are turning to crime and violence. My view is that they lack support and encouragement from senior members of our community. It's ironic that during one of these meetings I met another Wimbledon Tamil school 'old boy' and we both discussed how we may have also turned to 'anti –social behaviour' if it had not been for people like uncle Thiru to support, encourage and provide the security that all youngsters need.

I think I can safely say that many of my generation would have lost our Tamil identity if it had not been for Uncle Thiru. He was like the 'Godfather' of Tamilness for us, the first generation of British Tamils. It was through him that we were exposed to our Tamil heritage, our language, music and dance. My love for carnatic music has its roots in the days of the Tamil school, where thanks to Uncle Thiru I had the opportunity to learn miruthungam. I remember the many functions at the Wimbledon Town Hall and The Merton Hall where many of us young Tamils performed Tamil readings, dance and music as part of the school's cultural event – all thanks to Uncle Thiru.

It was not only during the Tamil school days that I remember Uncle. During my adult life whenever I met him he would often discuss with me my career, always providing me with positive, sound suggestions, always encouraging and supportive. His advice really had a great impact on me, as it's rare to find someone from Uncle's generation willing to impart such great knowledge and experience to the younger generation. He was someone with whom you could argue with passion, without fear of offending and without fear of being put down as 'a youngster' who doesn't know what he is talking about.

I could go on and tell many other stories of how he helped others fulfil their ambitions and goals in life, but space will not permit. To finish I would just like to say, that I believe that the community has lost a really great individual. But it should be borne in mind that despite the passing of Uncle Thiru, he has left behind a family unified in the happiness of their memories. A daughter and son who will carry his message and qualities forward to another generation and in that we can all be assured.

Uncle Thiru was a great warm hearted, generous, loveable person. Those of us who knew him will never forget him. We will always remember the joy it was to know this fine man, the joy to hear the things he said, the smiles he shared, his kindness and how he laughed. That is how we will remember him.

God bless you Uncle Thiru and watch over you and God bless and comfort those you love.

By Dr. K Vairavamoorthy

Australian Newsletter

There is an ascendance of cultural activities in all major cities in Australia after the commencement of this Chithirai Puthuvarudam. Arangetrams are on an upsurge and it is not just Bahrathanatyam but also that of classical instrumental and vocal. No doubt, it is a heartening trend that mirrors the keenness of Tamil youth in art and culture. Institutions and individuals endeavouring to promote Tamil art forms among youngsters deserve to be applauded and also for conducting regular cultural evenings, which obviously is a cultural bonanza for the community at large. Melbourne witnessed Tamil art and literary functions during the past month. The event held at the Preston Town Hall was a colourful occasion with classical dance performances, instrumental and vocal music and traditional stage play. Sri Ramakrishna Vedanta Society in Australia established a facility for congregation in Melbourne recently. Inauguration ceremony witnessed daylong activities and Swami Sridharananda, President of the Vedanta Society in Sydney delivered a special discourse on the occasion. Sri Matha Amiritanandamayi Devi, a spiritualist hailing from Kerala in South India and reverently addressed by her devotees as AMMA toured Perth, Melbourne, Sydney and Gold Coast during the past month. She regularly tours Australia and has a significant following not just amongst the decedents from the Subcontinent but also in the wider community. Chinmaya Mission in Australia rendered a series of lectures and discourses on ancient scripts, epics etc. V.S Naipul, an internationally acclaimed novelist of Indian lineage, toured Australia and delivered lectures in the East Coast.

S.Sitsabesan, Melbourne

An Appreciation

K.B.RATNAYAKE

I was very sad to note the headlines in the Daily News of 01 May 2004 in the inter-net announcing the passing away of my dear friend K.B.Ratnayake at the age of 80. A couple of months back I mourned the passing away of his beloved wife Vivienne. His departure, I believe, marks the exit of the last of the Old Guard of the original SLFP.

My first acquaintance with him was in 1953 when I was a teacher at Anuradhapura Central School. One day at the Government Services Sports Club a dashing, tall, handsome young man came riding his motor bike. He was then working as a surveyor at Polonnaruwa. My first reaction was that this young man was destined for a far greater future than the post he was holding. I next came into contact with him in 1963 when he was M.P. for Anuradhapura and I was transferred from Jaffna Central College as Acting Principal of Vivekananda Maha Vidyalaya in Anuradhapura. Mr.Ratnayake had made his debut into politics the previous year winning the by-election for the Anuradhapura electorate on the SLFP ticket. The by-election was caused by the untimely death of Mr.Sirimevan Godage.

From the very start, Mr.Ratnayake set about his job as a people's representative in all seriousness. He had his secondary schooling at Hartley College Point Pedro under the tutelage of that illustrious educationist, the late Mr.K.Poornampillai. There he excelled in both studies and sports and captained the cricket team. He always remembered his Alma Mater with affection and gratitude and helped the school in many ways. The core basic principles of sports - total discipline, hard work, commitment, sense of fair play – all these he brought into the new game of politics and the success of his political career which culminated in his post as Speaker of the tenth Parliament would be the final testimony to his place in the country's history. He was the only Speaker to have made the inaugural speech in all three languages. His fluency and delivery of speech, (in all three languages) spiced with wit, rhetoric and humour was par excellence.

The electorate of Anuradhapura with its historic hoary past was a cosmopolitan one representative of all races – Singhalese, Tamils, Muslims and Burghers. It needed a representative with great competence and skill to do the balancing, avoiding displeasure or trouble; and Mr.Ratnayake achieved this with consummate ease. During the eleven years of my service as Principal in Anuradhapura, I had developed a friendship which has lasted all these years. I had the chance to watch him closely as he dealt with people and events. He had a fine memory and interacted with his cons-tituents in a calm manner even in the face of annoying situations. He had the courage of his convictions and told those who sought favours if it was possible for him to do it or not. Sometimes this course of action did not please everyone; but in the end they could appreciate his honesty. His relationship with public servants was excellent. He was always friendly and called them by their first names and made it a point to talk to them in either Sinhala or Tamil. To the Tamils it was a great treat to listen to him and converse freely. This element of personal touch made him very popular with the Tamil community. He never insisted on formalities and his down-to-earth way of dealing with problems paid him dividends. He helped numerous people in many ways, even though he knew some of them voted for the other party. He was deeply interested in farming and paddy cultivation and never forgot his roots.

I recall some instances of his placing his popularity on the line in order to do the right. He had the courage of his convictions and never wavered in his actions. The best tribute would be his steadfast attachment to his party. When the SLFP had lost its popularity in 1977, there were some of his seniors who deserted the party and planned other strategies, but Mr.Ratnayake continued to remain in the party – sink or swim. He strongly believed in the peaceful co-existence of all races; but alas his was a lone voice in the wilderness! It was a crying pity that there were not many people of his calibre in the government to find a peaceful solution to the intractable ethnic crisis.

After holding his seat continuously for fifteen years, his defeat in the 1977 elections was a big blow to him. Worse still was the maligning campaign launched by his political opponents accusing him of having instigated and directed the violence in Anuradhapura during the 1979 riots. After a few days I met him in Colombo and we talked for about three hours. He challenged the Sansoni Commission to come out with any such evidence but not a shred of evidence to support the charge emerged. Mr.A.Amirthalingam later tendered an apology to Mr.Ratnayake on the floor of the House. He was successful in the next General Elections and sat in the opposition until his election as Speaker in 1994 – a post he held until 2000. He was later appointed Governor of the Central Region from where he retired as ill-health incapacitated him. During all these years he corresponded with me regularly. In 1995 when I was in Colombo for my son's wedding (at which he was the attesting witness) at his invitation, my wife and I spent a week's holiday with him at Mumtaz Mahal. Later the following year when he went to Zimbabwe to attend the Parliamentary Speakers' Conference, he paid a private visit to me to Eastern Cape, South Africa. He spent a week as my guest and I arranged with the Speaker of South African Parliament, Mrs.Ginwala and the Premier of the Provincial Parliament of Eastern Cape, Mr.Raymond Mhlaba to meet him and fete him at lunch. Along with my friend Kumar Fernando of Magwa Tea Corporation, I arranged for a lunch (at the Holiday Inn in Umtata) at which the Sri Lankan community honoured him. The last time I saw him was when he took leave of me at the East London airport, South Africa.

Apart from the many favours and services he had done to his constituents, Mr.Ratnayake will be long remembered for his invaluable contribution to sports country-wide, for the building of stadiums, for the sold groundwork he prepared to have Sri Lanka included in the ICC, for the personal interest he took and for the encouragement he had given numerous athletes and sportsmen.

He leaves behind his four children – Dhammika, Malkanthi, Vasanthan and Ranjit and their families and thousands of mourners. While joining them in mourning over his loss, let us take consolation from the fact that he has had a very good innings and has departed - a trail of glory.

K.JEGANATHAN
Auckland
New Zealand

DIY General Insurance
www.armassociates.co.uk - useful links - ARM Online Insurance

Seychelles Newsletter

April saw two major events happen in the Paradise island of the Indian ocean. The first was the swift and smooth hand over of power and the second was the further reinforcement of the already existing inter communal harmony in the country by the visiting global KATHAK dancer group from India.

(Left to right Chief Justice Vivekanand Aliyar, former President Rene, new President James Michel)

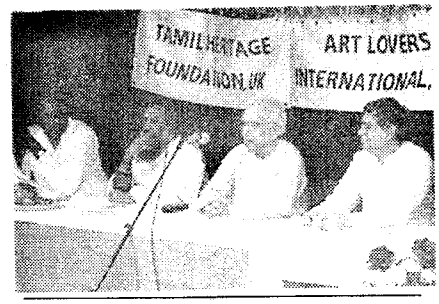
President France Albert Rene (69), the architect of the present Seychellois society was the president of Seychelles for the last 27 years since assuming office in July 1977 after a silent coup d'etat. He headed the one party state and saw the emergence of the multi-party state since 1993. Following the footsteps of Nyrere of Tanzania and Nelson Mandela of South Africa, President Rene unilaterally handed over the ship of state to the vice-president James Michel (59) at a simple ceremony at the State House on 14th April.

The Kathak dance couple on stage

The traditional new year celebrations was held in the newly constructed Bahais Spiritual Assembly hall on 18th April emphasising the theme Unity in Diversity which reflected multifarious dance and music forms from different groups to the jam-packed multi-cultural audience. The highlight of the show was the one hour presentation of the Kathak dance forms by the world famous group led by Abhimanyu and Vidha Lal couple who were here on an inter-cultural exchange programme.

V.Sivasupramaniam

Book Launch of Poems on Lord Muruga



From L to R Messers.V.R.Ramanathan, Naganatha Sivam, P.P.Kanthan and Poet S.Giridhar

On 2nd May 2004, the Navalar Hall adjoining London Sivan Kovil in Lewisham witnessed a notable event, the occasion of the launching of UK resident Tamil Poet S.G.Giridhar's "Thiru Murugan Paamalai", an anthology of devotional poems on Lord Muruga, by four London based organisations: World Hindu Mahasangham, Tamil Heritage Foundation, Art Lovers International and Tamil Women's Organisation.

After an invocation by Mr. Subramaniam and Ms.Selvi, Prof. S. Nagasubramaniam welcomed the gathering. The compilation was released by Brahmasri. Naganatha Sivam, Head Priest of the London Murugan Temple and the first copy was received by Dr. S. Dandapani. Mr. P.P.Kanthan, in his presidential address, likened the fervour with which poet Giridhar composed and submitted his poems at the feet of Lord Muruga to Sri Adi Sankara's dedication in composing his masterpiece "Soundarya Lahari" and placing it at the feet of Goddess Sakthi.

Mr. V.R.Ramanathan, Mr. R.Rajagopalan, Mr.Bala Ravi and Mrs. Sita Venkataraman, who spoke thereafter emphasised the literary merit of the compositions numbering seventy two and the deep shades of meaning contained in them. Dr. Geetha Subramaniam's illustrative drawings adorning the publication came in special praise.

The function concluded with a cultural programme of Music and dance. The musical rendering of some of the poems was initiated by Mr. P.P.Kanthan and completed by Mrs Harini Raghu, Mrs Lalitha Padmanabhan, Mrs Jayanthi Sundar and Mrs Lalitha Ramasubramaniam. This alone with the Bharatha Natyam recital by Miss Swathi Seshadri comprising three items on Lord Muruga, seemed to accord with what Bharathiyar wrote 'Paattum Seyyulum Kothiduveere, Baratha Natyam Koothiduveere'

- Devika

continued from page 35

would adopt a give-and-take attitude to reach a consensus on this issue, Akashi said the commitment made by Japan at the Tokyo aid conference to provide financial assistance to Sri Lanka would remain unchanged. The prospect for the resumption of the stalled peace talks between the Government and Sri Lanka has increased in recent times. However the disbursement of foreign aid pledged at the Tokyo Conference would be decided based on the progress made on the peace talks, he stressed.

Powerful bomb detected: May 19 - Timely action by the Grandpass police in Colombo led to the detection of a very powerful bomb. It had been manufactured with 'C4' explosives weighing 7 kilos 750 grams and was concealed under the main oil pipeline under the railway underpass at Bandaranaike Mawatha, adjoining the Sri Lanka Japan Friendship Bridge, in the Grandpass police area, according to police sources.

Grandpass OIC CI Danthila S. Jayasinghe, who visited the scene to unearth the cache of explosives, said he could not ascertain the motive behind the bomb being placed there. The bomb was so powerful, that it could have devastated a great area of the city. CI Jayasinghe obtained the services of the STF bomb squad to defuse it.

Police said the explosives were packed in a tin casing, weighing 800 grams, with ball bearings and shrapnel weighing 3 kilos 400 grams with "C4" explosive weighing 3 kilos 450 grams. The bomb was minus the detonator and was found along with six grenades.

Police believe that it could have been concealed under the oil pipelines, adjoining the railway line, to be moved elsewhere later. This bomb could have lain there for years without being detected, the police said.

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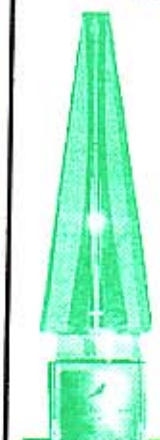

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